

NORFOLK



ISLAND

# **Firearms and Prohibited Weapons Act 1997**

No. 15, 1997

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(No. 2, 2015)



# FIREARMS AND PROHIBITED WEAPONS ACT 1997

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## Firearms and Prohibited Weapons Act 1997

An Act to provide for the regulation, control and registration of firearms and for related purposes.

### PART 1 — PRELIMINARY

#### Short title

1. This Act may be cited as the *Firearms and Prohibited Weapons Act 1997*.

#### Commencement

2. (1) Section 1 and this section commence on the day on which notification of Assent is published in the Gazette.  
(2) The remaining provisions commence on a day, or respective days, fixed by the Administrator by notice in the Gazette.

#### Interpretation

3. (1) In this Act unless the contrary intention appears —

“airgun” means a gun that—

- (a) can propel, or is designed to propel, a projectile—

- (i) by means of any gas or mixture of gases, including air but not including a gas or mixture of gases generated by an explosive; or
- (ii) by means of a spring; and

- (b) is operated or designed for operation by means of a trigger or similar device,

but does not include a paint pellet gun;

“approved” means approved in writing by the Minister;

“ACTA” means the Australian Clay Target Association;

“ammunition” does not include —

- (a) blank cartridges, or other items, for use in a starting pistol; or
- (b) ammunition for use in an exempt firearm;

“Court” means the Court of Petty Sessions;

“firearm” means a gun, or other weapon, that is (or at any time was) capable of propelling a projectile by means of an explosive, and includes—

- (a) a firearm part;
- (b) a blank fire firearm;
- (c) an airgun;

- (d) anything that would be a firearm if it did not have —
  - (i) something missing from it, or
  - (ii) a defect or obstruction in it

but does not include anything declared by the Regulations not to be a firearm;

“firearm part” means a barrel, breech, pistol slide, frame, cylinder, trigger mechanism, operating mechanism or magazine designed as, or reasonably capable of forming, part of a firearm;

“firearms dealer” means the holder of a firearms dealer licence referred to in section 12;

“firearms licence” means —

- (a) a Category A, B, C, D or H licence firearm part; or
- (b) a special Category C licence; or
- (c) a special collectors licence; or
- (d) an heirloom licence; or
- (e) a war souvenir licence;

“firearms permit” means a permit authorising the possession or use of a firearm (but does not include a permit that authorises a person to possess, but not use, a firearm);

“firearms prohibition order” means an order issued under Part 5.

“genuine reason” means a reason referred to in this Act as a genuine reason for the possession or use of a firearm;

“issuing officer” means the person appointed as the issuing officer under section 5A and includes the person appointed as deputy issuing officer under section 5A when that deputy is performing the functions, or exercising the powers, of the issuing officer;

“licence” means a licence in force under this Act;

“NICTA” means the Norfolk Island Clay Target Association;

“NIPA” means the Norfolk Island Pistol Association;

“NISSF” means Norfolk Island Shooting Sports Federation;

“permit” means a permit in force under this Act;

“pistol” means a firearm that—

- (a) is reasonably capable of being raised and fired by one hand; and
- (b) does not exceed any prescribed dimension;

“police officer” means a person who is a member of the police force for the purposes of the *Police Act 1931*;

“possess” in relation to a firearm includes the case in which a person knowingly —

- (a) has custody of the firearm; or



- (b) has the firearm in the custody of another person; or
- (c) has the firearm in or on any premises, place, vehicle, vessel or aircraft, whether or not belonging to or occupied by the person;

“prohibited weapon” means any weapon or thing specified in Schedule 2;

“Register” means the Register of firearms referred to in section 32;

“registered” means registered for the time being under this Act;

“resident” has its normal meaning;

“scheduled firearm” means a firearm described in Schedule 1;

“self loading”, in relation to a firearm, means a firearm that is capable of discharging, ejecting and loading a cartridge as a result of one pressure of the trigger;

“special clay target shooter” means a person who is a member of ACTA or NICTA and —

- (a) on 15 November 1996 —
  - (i) was a member of ACTA or NICTA; and
  - (ii) possessed a self-loading or pump action shotgun for use in clay target competitions; or
- (b) has a physical need, for reason of lack of strength or dexterity, that requires use of a self-loading or pump action shotgun to participate in clay target competitions (which need cannot be met by the use of a Category A or B firearm or by means other than a firearm);

“special collectors licence” means a licence referred to in section 13;

“this Act” includes the Regulations;

“transfer” a firearm or ammunition means transfer the ownership of the firearm or ammunition; and

“use” a firearm means fire the firearm or hold it so as to cause a reasonable belief that it will be fired, whether or not it is capable of being fired.

**(2)** For this Act—

- (a) anything that would be a prohibited weapon if it did not have something missing from it, or a defect or obstruction in it, is to be regarded as a prohibited weapon; and
- (b) if parts of a prohibited weapon are in the possession of, or being carried by, 2 or more persons—each of them is to be regarded as possessing or carrying the weapon.

**(2A)** For this Act, a person is to be taken to have possession of a prohibited weapon if the person knowingly—

- (a) has custody of the weapon; or
- (b) has the weapon in the custody of another person; or
- (c) has the weapon in or on any premises, place, vehicle, vessel or aircraft, whether or not belonging to or occupied by the person.

(3) For the purposes of this Act —

.....

(b) a person who takes possession of anything under a hire-purchase agreement is taken to have bought it and the person who possessed it immediately before parting with possession is taken to have sold it.

(4) A reference in this Act to a firearm of a category denoted by a letter of the alphabet will be taken to be to a firearm to which the licence category denoted by that letter of the alphabet applies.

### **Fit and proper person**

**3A.** In determining for the purposes of this Act if a person is a fit and proper person, the issuing officer must have regard to whether —

- (a) the person's physical or mental condition is, in the issuing officer's opinion, likely to endanger the person or another person; or
- (b) as a consequence of the person's physical or mental condition, the person is, in the issuing officer's opinion, likely to cause a breach of the peace involving a firearm; or
- (c) the person has had a licence or permit under —
  - (i) this Act; or
  - (ii) a law of the Commonwealth, or a State or another Territory of the Commonwealth about firearms or ammunition, suspended or cancelled.

### **Approved clubs**

**3B.** The Minister must not approve a club for the purposes of this Act unless the club —

- (a) was established for the purposes of directly promoting or encouraging a shooting sport recognised in the charters of major sporting events, such as the Commonwealth Games, Olympic Games or world championships; and
- (b) conducts regular shooting competitions or other similar activities requiring the use of firearms.

### **Act to bind the Crown**

**4. (1)** Subject to subsection 4(2) this Act binds the Crown .

**(2)** Nothing in this Act renders the Crown liable to be prosecuted for an offence.

### **Application**

**5. (1)** This Act does not apply to —

- (a) a member of —
  - (i) the Norfolk Island Police Force; or
  - (ii) the Australian Federal Police; or
  - (iii) a police force of a State or Territory of the Commonwealth; or
  - (iv) a defence force of the Commonwealth; or

- (v) a visiting force within the meaning of the *Defence (Visiting Forces) Act 1963* of the Commonwealth; or
  - (vi) the Australian Cadet Corps established under the *Defence Act 1903* of the Commonwealth,
- in respect of a firearm in the member's possession for use in the performance of his or her functions and duties as such a member; or
- (b) a prison officer of a State or Territory of the Commonwealth in respect of a firearm in the member's possession for use in the performance of his or her functions and duties as such a member.

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### Appointment of issuing officer

**5A. (1)** The Minister may, by instrument in writing appoint a person to be —

- (a) the issuing officer; or
- (b) the deputy issuing officer.

**(1A)** The deputy issuing officer may perform the functions, and exercise the powers, of the issuing officer —

- (a) during an absence of the issuing officer from duty or from Norfolk Island; or
- (b) during a vacancy in the office of issuing officer; or
- (c) at any other time with the approval of the issuing officer.

**(2)** An issuing officer must comply with any written directions or guidelines issued by the Minister in performing functions or exercising powers under this Act

**but**

directions or guidelines given under this section must not be issued in respect of a particular exercise of a function or power under this Act.

## PART 2 — LICENCES AND PERMITS

### *Division 1 — General*

#### Unauthorised possession or use of firearms

**6. (1)** A person must not possess or use a firearm unless the person is authorised to do so by a licence or a permit.

Penalty: 50 penalty units or imprisonment for 2 years, or both.

**(2)** Without limiting the operation of subsection 6(1), a person who is the holder of a licence or permit is guilty of an offence under that subsection if the person —

- (a) uses a firearm for any purpose otherwise than in connection with the purpose established by the person as being the genuine reason for possessing or using the firearm; or
- (b) contravenes any condition of the licence or permit.

**Amnesty**

**6A. (1)** The Minister may, by instrument published in the Gazette, specify an amnesty period in respect of a provision of this Act specified in that instrument.

**(2)** No proceeding lies against a person in respect of the possession or use of a firearm surrendered to a police officer during an amnesty period.

*Division 2 — Licences***Category A licences**

**7. (1)** Subject to subsection 7(2), the firearms to which a category A licence applies are:

- (a) air rifles;
- (b) rimfire rifles (other than self-loading);
- (c) shotguns (other than pump action or self-loading);
- (d) shotgun/rimfire rifle combinations.

**(2)** A scheduled firearm is not included in this licence category.

**Category B licences**

**8. (1)** Subject to subsection 8(2), the firearms to which a category B licence applies are:

- (a) muzzle-loading firearms (other than pistols);
- (b) centre-fire rifles (other than self-loading);
- (c) shotgun/centre-fire rifle combinations.

**(2)** A scheduled firearm is not included in this licence category.

**Category C licences**

**9. (1)** Subject to subsections 9(2) and 9(3), the firearms to which a category C licence applies are:

- (a) self-loading rimfire rifles with a magazine capacity of no more than 10 rounds;
- (b) self-loading shotguns with a magazine capacity of no more than 5 rounds;
- (c) pump action shotguns with a magazine capacity of no more than 5 rounds.

**(2)** A firearm referred to in item 6 or 9 of the Schedule is not included in this licence category.

**(3)** The Regulations may prescribe certain other firearms that are excluded from this licence category.

**Special Category C licences**

**9A. (1)** Subject to subsections 9A(2) and 9A(3), the firearms to which a special category C licence applies are —

- (a) self-loading shotguns with a magazine capacity of no more than 5 rounds;
- (b) pump action shotguns with a magazine capacity of no more than 5 rounds.

**(2)** A firearm referred to in item 6 or 9 of the Schedule is not included in this licence category.

(3) The Regulations may prescribe certain other firearms that are excluded from this licence category.

#### **Category D licences**

10. (1) Subject to subsections 10(2) and 10(3), the firearms to which a category D licence applies are:

- (a) self-loading centre-fire rifles;
- (b) self-loading rimfire rifles with a magazine capacity of more than 10 rounds;
- (c) self-loading shotguns with a magazine capacity of more than 5 rounds;
- (d) pump action shotguns with a magazine capacity of more than 5 rounds;
- (e) such other firearms to which a category C licence applies as are prescribed by Regulations.

(2) A firearm referred to in item 5, 6, 8 or 9 of the Schedule is not included in this licence category.

(3) The Regulations may prescribe certain other firearms that are excluded from this licence category.

#### **Category H licences**

11. (1) Subject to subsection 11(2), the firearms to which a category H licence applies are pistols (including blank fire pistols and air pistols).

(2) Scheduled firearms are not included in this licence category.

(3) The Regulations may prescribe sub-categories in respect of a category H licence.

#### **Firearms dealer licences**

12. (1) A firearms dealer licence applies to the kinds of firearms specified in the licence.

(2) A firearms dealer licence authorises the holder of the licence and employees who are eligible to be issued with a licence, to possess, buy, sell, display, repair, maintain or test any firearm to which the licence applies at the premises specified in the licence and to buy and sell ammunition for such firearms.

(3) For the purposes of this Act, each person prescribed for the purposes of this section will be taken to hold a firearms dealer licence.

#### **Special collectors licences**

13. (1) A special collectors licence may apply to —

- (a) any firearm that has been rendered permanently inoperable in the prescribed manner; or
- (b) any other category A, B, C or H firearm.

(2) A special collectors licence authorises the holder of the licence to possess any firearm to which the licence applies at the premises specified in the licence for the purpose of the genuine reason referred to in subsection 13(4).

(3) The issuing officer must not issue a special collectors licence to any person in respect of a firearm unless satisfied that the applicant has a genuine reason for possessing the firearm referred to in subsection 13(4).

(4) Subject to this Act, an applicant for a special collectors licence has a genuine reason for possessing a firearm if —

- (a) the applicant is a bona fide firearms collector; and
- (b) the applicant satisfies the issuing officer that the collection of firearms is of an obvious and significant commemorative, historical, thematic or investment value.

### **Heirloom licences**

**13A. (1)** An heirloom licence may apply to a firearm or a matching pair of firearms.

(2) An heirloom licence authorises the holder of the licence to possess any firearm to which the licence applies at the premises specified in the licence.

(3) The issuing officer must not issue an heirloom licence to any person in respect of a firearm if the person holds an heirloom licence in respect of another firearm.

(4) The issuing officer must not issue an heirloom licence to any person in respect of a firearm unless the person satisfies the issuing officer that the person inherited that firearm.

### **War souvenir licences**

**13B. (1)** A war souvenir licence authorises the holder of the licence to possess any firearm to which the licence applies at the premises specified in the licence.

(2) The issuing officer must not issue a war souvenir licence to any person in respect of a firearm unless the person satisfies an issuing officer that —

- (a) the firearm was a souvenir of war; and
- (b) the person, or a relative of the person, had a real connection with both the firearm and the war; and
- (c) the person is at least 18 years old.

### **Authority conferred by firearms licence**

**14. (1)** The holder of a category A, B, C, D or H licence is authorised to possess or use a registered firearm of the kind to which the licence applies, but only for the purpose established by that person as being the genuine reason for possessing or using the firearm.

(2) The authority conferred by a licence is subject to the Regulations.

(3) A licence also authorises the holder of the licence to have possession of the firearm while —

- (a) taking it to a firearms dealer to transfer the firearm or arrange for its transfer or later recovering it; or
- (b) taking it to a firearms dealer for the purpose of having it altered (otherwise than to convert it into a scheduled firearm), maintained, tested or repaired or later recovering it; or
- (c) taking it to a police officer for the purpose of having it inspected and subsequently recovering it from a police officer; or
- (d) taking it to a police officer for the purpose of surrendering it.

**Application for licence**

15. (1) An application for a licence must be made to the issuing officer —

- (a) in person; and
- (b) in the approved form; and
- (c) accompanied by the prescribed fee.

(2) An application for a licence must —

- (a) be accompanied by proof of the applicant's identity in accordance with the requirements under the *Financial Transaction Reports Act 1988* of the Commonwealth that apply in respect of opening a bank account; and
- (b) be accompanied by proof of the applicant's age; and
- (c) be accompanied by proof of the applicant's address; and
- (d) in the case of an application for a Category A, B, C, D, H or Special Category C licence, state the genuine reason for possessing or using the firearm referred to in the application; and
- (e) if the applicant must demonstrate a special need for possessing or using a firearm —
  - (i) state that special need; and
  - (ii) be accompanied by evidence of that special need; and
- (f) be accompanied by any other prescribed information or evidence.

(3) The issuing officer may, by written notice, require an applicant for a licence to provide any other information or evidence relevant to the determination of the application.

(4) Only an individual can apply for, or be granted, a licence.

**Issue of licences**

16. (1) An issuing officer may issue a licence in respect of an application or refuse any such application.

(2) A licence must not be issued until after the end of the period of 28 days following the day on which the application is made for that licence.

(3) The issuing officer must refuse to grant a person a licence if at least one of the grounds in the third column of the following table applies —

<b>Grounds on which the issuing officer must refuse to grant a licence</b>		
<b>Item</b>	<b>Topic</b>	<b>The issuing officer must refuse to grant a person a licence if ...</b>
1	Category C licence — approval of Minister	In the case of a Category C licence, the Minister has not approved the granting of the licence to the person ( <i>see paragraph 17(1)(aa)</i> ).
2	Category C licence — limit of 1 rifle and 1 shot gun	In the case of a Category C licence, the person would, if the licence was granted, be licensed to possess or use — <ul style="list-style-type: none"> <li>(a) more than one Category C rifle; or</li> <li>(b) more than one Category C shotgun.</li> </ul>

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**Grounds on which the issuing officer must refuse to grant a licence**


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<b>Item</b>	<b>Topic</b>	<b>The issuing officer must refuse to grant a person a licence if ...</b>
3	Dealer licence — unsuitable premises	In the case of a dealer licence, the issuing officer is not satisfied that the premises on which the person intends to deal in firearms comply with the prescribed requirements.
4	Fit and proper person	The issuing officer is not satisfied that the person is a fit and proper person to hold the licence.
5	Age	The person is under 18.
6	Residency	The issuing officer is not satisfied that the person is, or will become, a resident of Norfolk Island.
7	Interim apprehended violence order	Either: <ul style="list-style-type: none"> <li>(a) an interim apprehended violence order is in force against the person under the <i>Crimes (Domestic and Personal Violence) Act 2007</i> (NSW) (NI); or</li> <li>(b) the person is the subject of an order under the law of a State or another Territory of the Commonwealth that has substantially the same effect as an order referred to in paragraph (a).</li> </ul>
8	Final apprehended violence order	In the last 5 years, either: <ul style="list-style-type: none"> <li>(a) a final apprehended violence order was in force against the person under the <i>Crimes (Domestic and Personal Violence) Act 2007</i> (NSW) (NI); or</li> <li>(b) the person was the subject of an order under the law of a State or another Territory of the Commonwealth that had substantially the same effect as an order referred to in paragraph (a);</li> </ul> <p>unless an appeal against the making of the order was upheld.</p>
9	Interim restraining order	The person is the subject of one of the following orders — <ul style="list-style-type: none"> <li>(a) an interim restraining order under the <i>Magistrates Court Act 1930</i> of the Australian Capital Territory; or</li> <li>(b) an order under the law of a State or another Territory of the Commonwealth that has substantially the same effect as an order referred to in paragraph (a).</li> </ul>



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**Grounds on which the issuing officer must refuse to grant a licence**


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Item	Topic	The issuing officer must refuse to grant a person a licence if ...
10	Restraining order	<p>The person has, within the last 5 years, been the subject of one of the following orders —</p> <p>(a) a restraining order under the <i>Magistrates Court Act 1930</i> of the Australian Capital Territory; or</p> <p>(b) an order under the law of a State or another Territory of the Commonwealth that has substantially the same effect as an order referred to in paragraph (a),</p> <p>(unless an appeal against the making of the order has been upheld).</p>
11	Recognisance	<p>The person has, within the last 5 years, entered into a recognisance under the <i>Court of Petty Sessions Act 1960</i> to keep the peace or to be of good behaviour, and the recognisance related to a firearm, or actual or threatened violence to a person.</p>
12	Offence against a firearm law	<p>The person has, within the last 5 years, been convicted of an offence against —</p> <p>(a) this Act; or</p> <p>(b) another law of Norfolk Island about firearms or ammunition; or</p> <p>(c) a law of the Commonwealth, or a State or another Territory of the Commonwealth about firearms or ammunition,</p> <p>that is punishable by a term of imprisonment for 12 months or more (unless an appeal against the conviction has been upheld).</p>
13	Offence involving a firearm or violence	<p>The person has, within the last 5 years, been convicted of an offence involving a firearm, or actual or threatened violence to a person, that is punishable by a term of imprisonment for 12 months or more (unless an appeal against the conviction has been upheld).</p>
14	Storage and safety requirements	<p>The issuing officer is not satisfied that the person is capable of meeting the relevant storage and safety requirements of this Act.</p>
15	Firearms training and safety courses	<p>In the case of a first time applicant - the person has not completed, to the issuing officer's satisfaction, the prescribed firearms training and safety courses.</p>
16	Control over firearms	<p>The issuing officer has reasonable grounds for believing that the person may not personally exercise continuous and responsible control over firearms because of the person's way of living, domestic circumstances or use of drugs or alcohol.</p>

<b>Grounds on which the issuing officer must refuse to grant a licence</b>		
<b>Item</b>	<b>Topic</b>	<b>The issuing officer must refuse to grant a person a licence if ...</b>
17	Prior cancellation of licence or permit	The person had a licence or permit held by the person cancelled within the last year because the person failed to notify the issuing officer that the person changed — (a) his or her residential address; or (b) in the case of a dealer licence — the address of the premises where the person dealt in firearms or ammunition, (unless an appeal against the cancellation has been upheld).
18	Further information	The person failed to comply with the issuing officer's request for further information in respect of the application.
19	Public interest	The issuing officer considers that the grant of the licence to the person would be contrary to the public interest.
20	Other grounds	This Act prescribes a ground on which the issuing officer must refuse to grant the person a licence and the issuing officer is not satisfied that those grounds do not exist.

### **Genuine reasons for having a licence**

**17. (1)** An issuing officer must not issue a licence that authorises the possession and use —

- (a) of a firearm (other than a category C or D firearm) unless the issuing officer is satisfied that the applicant has a genuine reason for possessing or using the firearm; or
- (b) of a Category C firearm unless —
  - (i) the issuing officer is satisfied that the applicant has a genuine reason for possessing or using the firearm referred to in paragraph 17(2)(b); and
  - (ii) the issue of the licence is approved by the Minister; or
- (c) of a Special Category C firearm unless the issuing officer is satisfied that the applicant has a genuine reason for possessing or using the firearm referred to in subsection 17(5); or
- (d) of a Category D firearm unless the issuing officer is satisfied that the applicant has a prescribed exceptional reason for possessing or using the firearm.

**(2)** A genuine reason for possessing or using a firearm is possession or use by an applicant for —

- (a) sport or target shooting; or
- (b) primary production; or
- (c) hunting or vermin control; or

(d) any other business or occupation (including a rural occupation).

(3) An applicant does not have a genuine reason for possessing or using a firearm if the applicant intends to possess or use the firearm for any of the following reasons —

(a) personal protection or the protection of any other person;

(b) the protection of property.

(4) Subsection 17(3) does not limit the reasons which the issuing officer may decide are not genuine reasons for the purpose of justifying the possession or use of a firearm.

(5) An applicant for a Special Category C licence has a genuine reason for possessing or using the firearm if the applicant is a special clay target shooter who possesses or uses a shotgun that is a Category C firearm for the genuine reason of clay target shooting of a kind authorised by ACTA or NICTA.

#### **Category H licences - restrictions on issue**

18. An issuing officer must not issue a category H licence to any person unless —

(a) the genuine reason established by the person for being issued with the licence is sport or target shooting or for business or employment; and

(b) the person produces evidence to the officer's satisfaction that there is a special need for the person to possess or use a pistol.

#### **Special need**

18A. In addition to the requirements of section 17, a person must not be granted a Category B, C, D or H licence unless the person has a special need to possess or use a firearm for which the licence is sought—

(a) that relates to the genuine reason established by the person for the possession or use of that firearm; and

(b) that cannot be met by means other than a firearm or—

(i) in the case of a Category B licence, by a Category A firearm; or

(ii) in the case of a Category C, Special Category C or Category H licence, by a Category A or B firearm; or

(iii) in the case of a Category D licence, by a Category A, B, C or H firearm.

#### **Form and term of licence**

19. (1) A licence for a firearm must be in an approved form and must —

(a) contain the applicant's name; and

(b) contain a recent photograph of the applicant; and

(c) bear the applicant's signature; and

(d) specify the licence categories covered by the licence; and

(e) specify the date on which the licence commences to operate and the date on which it expires; and

(f) specify the type of firearm to which the licence applies; and

- (g) specify the genuine reason for which the licensee is authorised to possess or use that type of firearm (if relevant); and
- (h) contain a summary of the requirements under this Act in respect of safe storage of that type of firearm; and
- (j) specify the licence number; and
- (k) specify any other prescribed matter.

(2) A licence continues in force for a period of 5 years (or a shorter prescribed period) unless it is surrendered or revoked or otherwise ceases to be in force.

### Conditions of licence

20. (1) A licence may be issued subject to such conditions as the issuing officer thinks fit to impose.

(2) Without limiting subsection 20(1), each licence is subject to the following conditions —

- (a) the licensee must comply with the relevant safe keeping and storage requirements under this Act and the Regulations; and
- (b) the licensee must not permit any other person to possess or use any firearm in the holder's possession if that other person is not authorised to possess or use a firearm of that type; and
- (c) the holder must, in accordance with such arrangements as are agreed between the holder and the issuing officer, permit inspection by the issuing officer of the holder's storage facilities at any reasonable time; and
- (d) the licence cannot be transferred to another person.

(3) A licence is subject to any other conditions required under this Act.

### Suspension of licence

21. (1) An issuing officer may, if satisfied that there may be grounds for revoking a licence, suspend the licence by serving personally or by post on the licensee a notice —

- (a) stating that the licence is suspended and the reasons for suspending it; and
- (b) requesting that the person provide reasons why the licence should not be revoked.

(1A) Any licence held by a person is automatically suspended while an interim apprehended violence order against the person is in force under the *Crimes (Domestic and Personal Violence) Act 2007* (NSW) (NI).

(2) A suspended licence does not authorise the possession or use of firearms during the period specified in the notice suspending it.

### Revocation of licence

22. (1) A licence that authorises a person to possess or use a firearm is automatically revoked —

- (a) if a final apprehended violence order comes into force against the person under the *Crimes (Domestic and Personal Violence) Act 2007* (NSW) (NI); or
- (b) in the prescribed circumstances.

- (2) A licence may be revoked —
- (a) for any reason for which the licensee would be required to be refused a licence of the same kind; or
  - (b) if the licensee —
    - (i) supplied information which was (to the licensee's knowledge) false or misleading in a material particular in, or in connection with, the application for the licence; or
    - (ii) contravenes any provision of this Act or the regulations, whether or not the licensee has been convicted of an offence for the contravention; or
    - (iii) contravenes any condition of the licence; or
  - (c) if an issuing officer is of the opinion that the licensee is no longer a fit and proper person to hold a licence; or
  - (d) for any other reason prescribed by the Regulations.

(3) An issuing officer may revoke a licence by serving personally or by post on the licensee a notice stating that the licence is revoked and the reason for revoking it.

(4) The revocation of a licence by such a notice takes effect when the notice is served or on a later date specified in the notice, whether or not an appeal is lodged against the revocation.

(5) An issuing officer may, by serving a further notice on the holder of a licence, cancel a notice revoking a licence before the notice takes effect.

#### **Surrender and seizure of firearms when licence suspended or revoked**

23. (1) If a licence is suspended or revoked, the person to whom it was issued must immediately surrender to a police officer —

- (a) any firearm in the person's possession; and
- (b) the licence.

Penalty: 50 penalty units or imprisonment for 2 years, or both.

(2) A police officer is authorised to seize any firearm in the possession of a person if that person does not comply with subsection 23(1).

#### **Australian residents moving to Norfolk Island**

24. (1) A person who is a resident of a State or another Territory of Australia and who holds a licence (in this section referred to as a “corresponding licence”) granted under the law of that State or Territory that authorises the person to possess or use a firearm except —

- (a) a licence that corresponds to a minor’s firearms permit or a dealer licence; or
- (b) a licence other than a special Category C licence that authorises the use of a scheduled firearm,

may notify the issuing officer in writing of the person’s intention to become a resident of Norfolk Island.

(2) A person who notifies the issuing officer in accordance with subsection 24(1) will be taken to be licensed to possess or use —

- (a) a Category C shotgun if the person has a licence corresponding to a Special Category C licence; or
- (b) a firearm of the same type as that authorised by the corresponding licence, and the possession or use shall be —
- (c) for the same genuine reason; and
- (d) on the same conditions so far as they are applicable on Norfolk Island, specified in the corresponding licence, for the period set out in subsection 24(3).

(3) A licence referred to in subsection 24(2) authorises the licensee to possess or use the firearm for the period starting on the day the person notified the issuing officer under subsection 24(1) and ending after that day on the earliest of —

- (a) if the corresponding licence authorises possession or use of a Category A or B firearm – 90 days; or
- (b) if the corresponding licence authorises possession or use of a Category C or H firearm – 7 days; or
- (c) the day on which the issuing officer grants or refuses to grant a licence in respect of the firearm to the person.

#### **Persons holding corresponding visiting sporting shooter permit**

**24A. (1)** A person who is a resident of a State or another Territory of Australia or of New Zealand who holds an authorisation to possess or use a firearm granted under a law of that State or Territory or of New Zealand that corresponds to a visiting sporting shooter permit (in this section referred to as a “corresponding permit”) and who comes to Norfolk Island for the purpose of competitive shooting is authorised to possess and use a firearm of the same type, and on the same conditions, as the corresponding permit for a period not longer than 3 months commencing on the day on which the permit came into force.

(2) An authorisation under subsection 24A(1) applies to a pistol or to a Category C shotgun or Category H pistol (other than a firearm referred to in item 6 or 9 in the Schedule) in accordance with subsection 24A(3) but does not apply to any other scheduled firearm.

(3) An authorisation referred to in subsection 24A(2) authorises the possession or use of the firearm for competitive clay target or pistol shooting at —

- (a) the Olympic Games or an associated event; or
- (b) the Paralympic Games or an associated event; or
- (c) the Commonwealth Games or an associated event; or
- (d) an event organised by ACTA, NICTA, NIPA or NISSF; or
- (e) a prescribed event,

on the same conditions as those specified in the corresponding permit.

*Division 3 — Permits***Types of permits**

**25. (1)** The issuing officer may issue permits of the following types authorising the possession or use of a firearm —

- (a) a minor permit;
- (b) a theatrical permit;
- (c) a visiting sporting shooter permit;
- (d) a permit to use a firearm;
- (e) any other prescribed type of permit authorising the possession or use of a firearm.

**(2)** The issuing officer may issue permits of the following other types —

- (a) a permit to acquire a firearm;
- (b) a permit to display a firearm;
- (c) a permit to shorten a firearm;
- (d) a permit to modify a firearm;
- (e) an ammunition collection permit;
- (f) an ammunition display permit.

**Application for permits**

**26. (1)** An application for a permit must be made to the issuing officer —

- (a) in person; and
- (b) in the approved form; and
- (c) accompanied by the prescribed fee.

**(2)** An application for a permit must be accompanied by the prescribed information or evidence.

**(3)** An application for a firearms permit must —

- (a) be accompanied by proof of the applicant's identity in accordance with the requirements under the *Financial Transaction Reports Act 1988* of the Commonwealth that apply in respect of opening a bank account; and
- (b) be accompanied by proof of the applicant's age; and
- (c) be accompanied by proof of the applicant's address; and
- (d) be accompanied by any other prescribed information or evidence.

**(4)** The issuing officer may, by written notice, require an applicant for a permit to provide any other information or evidence relevant to the determination of the application.

**(5)** Only an individual can apply for, or be granted, a permit.

**Issue of permits**

**26A. (1)** The issuing officer may issue a permit in respect of an application or refuse to issue a permit.

**(2)** The issuing officer shall not issue a permit under subsection 26A(1) until after the end of the period of 28 days following the day on which the application is

made for the permit but may, in exceptional circumstances and with the prior approval of the Minister, issue a visiting sporting shooter permit before the end of the period referred to.

(3) The issuing officer must refuse to grant a person a permit if at least one of the grounds in the third column of the following table applies —

<b>Grounds on which the issuing officer must refuse to grant a permit</b>		
<b>Item</b>	<b>Topic</b>	<b>The issuing officer must refuse to grant a person a permit if ...</b>
1	Specific requirements	The issuing officer is not satisfied that the person meets the requirements for the permit that the person applied for.
2	Fit and proper person	For a permit other than a visiting sporting shooter permit, the issuing officer is not satisfied that the person is a fit and proper person to hold the permit.
3	Firearms permit – Interim domestic violence order	In the case of a firearm permit (other than a visiting sporting shooter permit), the person is the subject of one of the following orders — <ul style="list-style-type: none"> <li>(a) an interim protection order under the <i>Domestic Violence Act 1995</i>; or</li> <li>(b) an order under the law of a State or another Territory of the Commonwealth that has substantially the same effect as an order referred to in paragraph (a).</li> </ul>
4	Firearms permit – Domestic violence order	In the case of a firearm permit (other than a visiting sporting shooter permit), the person has, within the last 5 years, been the subject of one of the following orders — <ul style="list-style-type: none"> <li>(a) a protection order under the <i>Domestic Violence Act 1995</i>; or</li> <li>(b) an order under the law of a State or another Territory of the Commonwealth that has substantially the same effect as an order referred to in paragraph (a),</li> </ul> (unless an appeal against the making of the order has been upheld).
3	Firearms permit— interim apprehended violence order	In the case of a firearms permit (except a visiting sporting shooter permit), either: <ul style="list-style-type: none"> <li>(a) an interim apprehended violence order is in force against the person under the <i>Crimes (Domestic and Personal Violence) Act 2007</i> (NSW) (NI); or</li> <li>(b) the person is the subject of an order under the law of a State or another Territory of the Commonwealth that has substantially the same effect as an order referred to in paragraph (a).</li> </ul>



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**Grounds on which the issuing officer must refuse to grant a permit**


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Item	Topic	The issuing officer must refuse to grant a person a permit if ...
4	Firearms permit— final apprehended violence order	<p>In the case of a firearms permit (except a visiting sporting shooter permit), in the last 5 years either:</p> <ul style="list-style-type: none"> <li>(a) a final apprehended violence order was in force against the person under the <i>Crimes (Domestic and Personal Violence) Act 2007</i> (NSW) (NI); or</li> <li>(b) the person was the subject of an order under the law of a State or another Territory of the Commonwealth that had substantially the same effect as an order referred to in paragraph (a);</li> </ul> <p>unless an appeal against the making of the order was upheld.</p>
5	Firearms permit – Interim restraining order	<p>In the case of a firearm permit (other than a visiting sporting shooter permit), the person is the subject of one of the following orders —</p> <ul style="list-style-type: none"> <li>(a) an interim restraining order under the <i>Magistrates Court Act 1930</i> of the Australian Capital Territory; or</li> <li>(b) an order under the law of a State or another Territory of the Commonwealth that has substantially the same effect as an order referred to in paragraph (a).</li> </ul>
6	Firearms permit – Restraining order	<p>In the case of a firearm permit (other than a visiting sporting shooter permit), the person has, within the last 5 years, been the subject of one of the following orders —</p> <ul style="list-style-type: none"> <li>(a) a restraining order under the <i>Magistrates Court Act 1930</i> of the Australian Capital Territory; or</li> <li>(b) an order under the law of a State or another Territory of the Commonwealth that has substantially the same effect as an order referred to in paragraph (a),</li> </ul> <p>(unless an appeal against the making of the order has been upheld.)</p>
7	Firearms permit – Recognisance	<p>In the case of a firearm permit (other than a visiting sporting shooter permit), the person has, within the last 5 years, entered into a recognisance under the <i>Court of Petty Sessions Act 1960</i> to keep the peace or to be of good behaviour, and the recognisance related to a firearm, or actual or threatened violence to a person.</p>

<b>Grounds on which the issuing officer must refuse to grant a permit</b>		
<b>Item</b>	<b>Topic</b>	<b>The issuing officer must refuse to grant a person a permit if ...</b>
8	Firearms permit – Offence against a firearm law	In the case of a firearm permit (other than a visiting sporting shooter permit), the person has, within the last 5 years, been convicted of an offence against — (a) this Act or the Regulations; or (b) another law of Norfolk Island about firearms or ammunition; or (c) a law of the Commonwealth, or a State or another Territory of the Commonwealth about firearms or ammunition,  that is punishable by a term of imprisonment for 12 months or more (unless an appeal against the making of the order has been upheld).
9	Firearms permit – Offence involving a firearm or violence	In the case of a firearm permit (other than a visiting sporting shooter permit), the person has, within the last 5 years, been convicted of an offence involving a firearm, or actual or threatened violence to a person, that is punishable by a term of imprisonment for 12 months or more (unless an appeal against the making of the order has been upheld).
10	Storage and safety requirements	In the case of a firearm permit or permit to display a firearm or ammunition, the issuing officer is not satisfied that the person is capable of meeting the relevant storage and safety requirements of this Act.
11	Prior cancellation of licence or permit	The person had a licence or permit held by the person cancelled within the last year because the person failed to notify the issuing officer that the person changed — (a) his or her residential address; or (b) in the case of a dealer licence — the address of the premises where the person dealt in firearms or ammunition (unless an appeal against the making of the order has been upheld).
12	Further information	The person failed to comply with the issuing officer's request for further information in respect of the application.
13	Public Interest	The issuing officer considers that the grant of the permit to the person would be contrary to the public interest.
14	Other grounds	This Act or the Regulations prescribe a ground on which the issuing officer must refuse to grant the person a permit.

**Form of permits**

- 26B. (1)** A firearm permit must be in an approved form and must —
- (a) contain the applicant's name; and
  - (b) contain a recent photograph of the applicant; and
  - (c) bear the applicant's signature (unless the permit is a visiting sporting shooter permit); and
  - (d) specify the permit type; and
  - (e) specify the date on which the permit commences to operate and the date on which it expires; and
  - (f) in the case of a firearm permit specify the type of firearm to which the permit applies; and
  - (g) contain a summary of the requirements under this Act or the Regulations in respect of safe storage of that firearm; and
  - (h) specify the permit number; and
  - (j) specify any other prescribed matter.
- (2)** A permit other than a firearm permit must be in an approved form.

**Conditions of permits**

**26C. (1)** A permit must be subject to any conditions required under this Act and may be issued subject to such conditions as the issuing officer thinks fit to impose.

**(2)** Without limiting subsection 26C(1), each permit is subject to the following conditions —

- (a) the holder must comply with the relevant safe keeping and storage requirements under this Act and the Regulations and must, in accordance with such arrangements as are agreed between the holder and the issuing officer, permit inspection by the issuing officer of the holder's storage facilities at any reasonable time; and
- (b) the holder of a firearm permit must not permit any other person to possess or use any firearm in the holder's possession if that other person is not authorised to possess or use a firearm of that type; and

**(3)** A permit is not transferable.

**Suspension of permits**

**26D. (1)** The issuing officer may, if satisfied that there may be grounds for revoking a permit, suspend the permit by serving personally or by post on the holder a notice —

- (a) stating that the permit is suspended and the reasons for suspending it; and
- (b) requesting that the holder provide reasons why the permit should not be revoked.

**(2)** A firearm permit is automatically suspended while an interim apprehended violence order against the holder is in force under the *Crimes (Domestic and Personal Violence) Act 2007* (NSW) (NI).

**(3)** A suspended permit does not operate during the period specified in the notice suspending it.

### Revocation of permits

**26E. (1)** A firearm permit is automatically revoked —

- (a) if a final apprehended violence order comes into force against the holder under the *Crimes (Domestic and Personal Violence) Act 2007* (NSW) (NI); or
- (b) in the prescribed circumstances.

**(2)** A permit may be revoked —

- (a) for any reason for which the holder would be required to be refused a permit of the same kind; or
- (b) if the holder —
  - (i) supplied information that was (to the holder's knowledge) false or misleading in a material particular in, or in connection with, the application for the permit; or
  - (ii) contravenes any provision of this Act, whether or not the holder has been convicted of an offence for the contravention; or
  - (iii) contravenes any condition of the permit; or
- (c) if the issuing officer is of the opinion that the holder is no longer a fit and proper person to hold the permit; or
- (d) for any other reason prescribed by the Regulations.

**(3)** The issuing officer may revoke a permit by serving personally or by post on the holder a notice stating that the permit is revoked and the reason for revoking it.

**(4)** The revocation of a permit by such a notice takes effect when the notice is served or on a later date specified in the notice, whether or not an appeal is lodged against the revocation.

**(5)** The issuing officer may, by serving a further notice on the holder of a permit, cancel a notice revoking the permit before the notice takes effect.

### Surrender and seizure of firearms when permit suspended or revoked

**26F. (1)** If a firearm permit is suspended or revoked, the person to whom it was issued must immediately surrender to a police officer —

- (a) any firearm in the person's possession; and
- (b) the permit.

Penalty: 50 penalty units or imprisonment for 2 years, or both.

**(2)** A police officer is authorised to seize any firearm in the possession of a person if that person does not comply with subsection 26F(1).

### Permits to acquire firearms

**27. (1)** A person who is the holder of a licence or permit may apply to an issuing officer for a permit to acquire a firearm.

**(2)** A separate permit to acquire is required in respect of each firearm to be acquired by the holder of a licence or permit.

**(3)** An issuing officer must not issue a permit authorising a person to acquire a firearm —

- (a) unless the person is the holder of a licence or permit authorising the person to use or possess the firearm concerned; and
- (b) until after the end of the period of 28 days following the day on which the application for the permit is made; and
- (c) unless the issuing officer is satisfied that the applicant has a good reason for acquiring the firearm concerned; and
- (d) if the firearm is of the same type as a firearm that the person already possesses, unless the issuing officer is satisfied that the person is authorised to possess another firearm of that type; and
- (e) unless the issuing officer is satisfied that the person has a good reason for acquiring the firearm.

(4) If the issuing officer determines that a permit to acquire a firearm is to be issued, it must be issued as soon as practicable after the 28 day period.

(5) Unless sooner revoked, a permit to acquire a firearm remains in force from the time it is issued for a period of 90 days or until the firearm to which the permit relates is acquired (whichever is the sooner).

(6) A permit to acquire a firearm is automatically cancelled if the firearm licence that authorises the holder to possess a firearm of that type expires, is suspended or cancelled.

#### **Minor's firearms permits**

**28.** (1) A person who is not less than 12 years old but is less than 18 years old may apply for a minor's firearms permit.

(2) The issuing officer must refuse to grant a person a minor's firearms permit if —

- (a) the person applying for the permit does not provide the issuing officer with written consent of the person's parent or guardian to the issuing officer issuing the person the permit; or
- (b) the person is not a member of an approved club.

(3) A minor's firearms permit authorises the holder, who must be less than 18 years old, to possess or use —

- (a) a firearm of the type specified in the permit, being a Category A, B or H firearm; and
- (b) to receive instruction in the safe use of firearms or to participate in shooting competitions; and
- (c) on the premises specified in the permit, being the premises of an approved club; and
- (d) under the immediate supervision of a person who is —
  - (i) authorised by a firearm licence to use a firearm of that type; and
  - (ii) an approved supervisor of minors.

(4) The conditions of a minor's firearms permit are that —

- (a) the holder must be a member of an approved club; and
- (b) any conditions prescribed by the Regulations; and

- (c) any conditions specified by the issuing officer.

### Theatrical permits

29. (1) A theatrical permit authorises the holder of the permit to possess or use

- (a) a firearm specified in the permit; and
- (b) for the purpose of a theatrical production or historical re-enactment specified by the issuing officer in the permit; and
- (c) at the place of performance or rehearsal of the production or re-enactment; and
- (d) in accordance with the conditions of the permit.

(2) The issuing officer must not grant a theatrical permit to a person unless

- (a) the person is a performer in, or member of the society that is staging, a theatrical production or historical re-enactment; and
- (b) is at least 18; and
- (c) the firearm has been rendered permanently inoperable in the prescribed manner.

(3) The conditions of a theatrical permit are —

- (a) any prescribed conditions; and
- (b) any conditions specified by the issuing officer.

### Visiting sporting shooter permits

30. (1) A visiting sporting shooter permit authorises the holder of the permit to possess or use —

- (a) a firearm specified in the permit, being a Category A, B or H firearm or a shotgun that is a Category C firearm;
- (b) for competitive target shooting; and
- (c) in accordance with the conditions of the permit.

(2) The issuing officer must not grant a visiting sporting shooter permit to a person unless the person has a special need to possess or use a shotgun that is a Category C firearm that cannot be met by a Category A or B firearm or by means other than a firearm.

(3) The conditions of a visiting sporting shooter permit are —

- (a) any prescribed conditions; and
- (b) any conditions specified by the issuing officer,

and, if the permit authorises the holder to possess or use a shotgun that is a Category C firearm —

- (c) that the firearm may only be used for the reason of clay target shooting at
  - (i) the Olympic Games or an associated event; or
  - (ii) the Paralympic Games or an associated event; or
  - (iii) the Commonwealth Games or an associated event; or

- (iv) an event organised by ACTA or NICTA; or
  - (v) a prescribed event; and
- (b) that the shotgun must not be loaded with more than 2 shots at any one time.

#### **Permits to use a firearm**

**31. (1)** A permit to use a firearm authorises the holder of the permit to possess or use —

- (a) a firearm specified in the permit, being a Category A, B or H firearm;
- (b) at an approved commemorative or historical event by an approved organisation held at an approved range; and
- (c) in accordance with the conditions of the permit.

**(2)** The issuing officer must refuse to grant a person a permit to use a firearm unless the person is authorised by a special collectors licence to possess a firearm of that type.

**(3)** The conditions of a permit to use a firearm are —

- (a) that the holder may only use blank ammunition; and
- (b) any prescribed conditions; and
- (c) any conditions specified by the issuing officer.

#### **Permits to display a firearm**

**31A. (1)** A permit to display a firearm authorises the holder of the permit to display the firearm —

- (a) at the premises specified in the permit; and
- (b) for the period specified in the permit; and
- (c) in accordance with the conditions of the permit.

**(2)** The issuing officer must refuse to grant a person a permit to display a firearm unless the person is authorised by a special collectors licence, heirloom licence or war souvenir licence to possess a firearm of that type.

**(3)** The conditions of a permit to display a firearm are —

- (a) any prescribed conditions; and
- (b) any conditions specified by the issuing officer.

#### **Permits to shorten a firearm**

**31B. (1)** A permit to shorten a firearm authorises the holder of the permit to—

- (a) shorten the firearm; or
- (b) possess the firearm after it has been shortened; or
- (c) transfer the shortened firearm to another person,

in accordance with the conditions of the permit.

**(2)** The issuing officer must refuse to grant a person a permit to shorten a firearm unless the person is authorised by a firearms dealer licence to possess a firearm of that type.

**(3)** The conditions of a permit to shorten a firearm are —

- (a) any prescribed conditions; and
- (b) any conditions specified by the issuing officer.

#### **Permits to modify a firearm**

**31C. (1)** A permit to modify a firearm authorises the holder of the permit to—

- (a) modify the firearm in a manner specified in the permit; or
- (b) possess the firearm after it has been so modified; or
- (c) transfer the firearm, so modified, to another person,

in accordance with the conditions of the permit.

**(2)** The issuing officer must refuse to grant a person a permit to modify a firearm unless the person is authorised by a firearms dealer licence to possess a firearm of that type.

**(3)** The conditions of a permit to modify a firearm are —

- (a) any prescribed conditions; and
- (b) any conditions specified by the issuing officer.

#### **Ammunition collection permits**

**31D. (1)** An ammunition collection permit authorises the holder of the permit to acquire and possess ammunition for the purpose of an ammunition collection in accordance with the conditions of the permit.

**(2)** The conditions of an ammunition collection permit are —

- (a) that all ammunition in the collection must be rendered inert (other than sporting ammunition or military ammunition of UN Hazard Classification Code 1.4.s up to 20 millimetre calibre); and
- (b) that the ammunition must not contain high explosive, smoke, chemical or lachrymatory properties or agents; and
- (c) that the ammunition must be stored in accordance with section 58AD; and
- (d) that the holder must not display ammunition in the collection unless authorised to do so by an ammunition display permit; and
- (e) that the holder may only acquire and transfer ammunition from a person who is authorised by —
  - (i) a firearms dealer licence to deal in ammunition of that type; or
  - (ii) an ammunition collection permit to collect ammunition of that type; and
- (f) any prescribed conditions; and
- (g) any conditions specified by the issuing officer.

#### **Ammunition display permits**

**31E. (1)** An ammunition display permit authorises the holder of the permit to display ammunition possessed under an ammunition collection permit —

- (a) at the premises specified in the permit;
- (b) for the period specified in the permit;
- (c) in accordance with the conditions of the permit.



(2) The issuing officer must refuse to grant a person a permit to display ammunition unless the person is authorised by an ammunition collection permit to possess ammunition of that type.

(3) The conditions of a permit to display ammunition are —

- (a) any prescribed conditions; and
- (b) any conditions specified by the issuing officer.

### PART 3 — REGISTRATION OF FIREARMS

#### Register of firearms

32. (1) The issuing officer is to cause to be completed and maintained a Register of firearms.

(2) The Register must contain the prescribed information in respect of each firearm that is registered.

(3) The Register is to be maintained in such form as to enable information in the Register to be accessed by the firearms authorities of the States and other Territories of the Commonwealth.

(4) The Register is not to be made available for inspection by any member of the public.

(5) The Regulations may make provision with respect to the Register.

#### Record of licences and permits

32A. (1) The issuing officer must cause to be completed and maintained a record (“**the Record**”) relating to licences and permits issued under this Act.

(2) The Record must contain the prescribed information in respect of each licence or permit issued under this Act.

(3) The Record must be maintained in a form that enables information in the Record to be accessed by the firearms authorities of the governments of the States and other Territories of the Commonwealth.

(4) The Record must not be made available for inspection by any member of the public.

(5) The Regulations may make provision with respect to the Record.

#### Registration of firearms

33. (1) An application for registration of a firearm must be made to the issuing officer —

- (a) in person; and
- (b) in the approved form; and
- (c) accompanied by the prescribed fee.

(2) An application for registration of a firearm must —

- (a) specify the number of the licence or permit that authorises the person to possess the firearm; and
- (b) be accompanied by any other prescribed information or evidence.

(3) The issuing officer may, by written notice, require an applicant for registration to provide any other information relevant to the determination of the application.

(4) Only an individual can apply for, or be granted, registration.

(5) The issuing officer must grant an application to register a firearm unless required not to by this Act.

(6) The issuing officer must not register a firearm —

- (a) if the applicant for that registration is not authorised by a licence or a permit to possess a firearm, or another firearm, of that type; or
- (b) if the registration would result in the firearm being registered to more than one person; or
- (c) if the issuing officer is not satisfied that the applicant for that registration owns the firearm; or
- (d) unless the firearm is first produced for inspection to the issuing officer.

(7) Registration of a firearm operates until it is cancelled.

### **Cancellation of registration**

**34. (1)** The issuing officer may, by notice in writing served on the person in whose name a firearm is registered, cancel the registration of the firearm if —

- (a) had the firearm not been registered, the issuing officer would be required not to register it on the grounds that the person does not hold a licence or permit in respect of the firearm; or
- (b) the issuing officer is satisfied that the applicant for registration made a statement in or in connection with the application that the applicant knew to be false or misleading in a material particular; or
- (c) the person in whose name the firearm is registered is convicted of an offence under this Act or the Regulations or an offence prescribed by the Regulations for the purposes of this section; or
- (d) the person in whose name the firearm is registered requests the cancellation.

**(1A)** The issuing officer must cancel the registration of a firearm if the person to whom the firearm is registered —

- (a) ceases to be authorised by a licence or a permit to possess a firearm of that type; or
- (b) requests the issuing officer to cancel that registration; or
- (c) notifies the issuing officer that the person has transferred or destroyed the firearm; or
- (d) supplied information in connection with the application for registration of the firearm that was false or misleading in a material particular.

**(2)** Cancellation of the registration of a firearm takes effect on the notice being served on the person in whose name the firearm is registered.

**(3)** On cancellation of the registration of a firearm, a police officer is authorised to seize the firearm.

**Unregistered firearms**

**35. (1)** A person must not sell, purchase, possess or use a firearm that is not registered in the name of the person.

Penalty: 50 penalty units or imprisonment for 2 years, or both.

**(2)** It is a defence to a prosecution for an offence under this section to prove that the defendant —

- (a) did not know, or could not reasonably be expected to have known, that the firearm concerned was unregistered; and
- (b) was not the owner of the firearm at the time of the alleged offence.

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**Requirements relating to registered firearms**

**36. (1)** The person in whose name a firearm is registered —

- (a) must produce the firearm for inspection by the issuing officer or police officer at any reasonable time when requested to do so by the officer; and
- (b) must, if the firearm is sold or lost by, or stolen from, that person, immediately notify the issuing officer of the sale, loss or theft of the firearm and provide the issuing officer, within 7 days after the firearm is sold, lost or stolen, with particulars of the sale, loss or theft in accordance with the Regulations.

**(2)** Any person (other than a licensed firearm dealer) who acquires a firearm from another person must provide the issuing officer, within 7 days after the firearm is acquired, with such particulars as may be prescribed by the Regulations.

Penalty (subsections 36(1) and 36(2)): 25 penalty units or imprisonment for 12 months or both.

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**PART 4 — FIREARMS DEALERS****Firearms dealers must be licensed**

**38.** A person must not, in carrying on a business —

- (a) manufacture, buy, sell, transfer or repair firearms; or
- (b) expose or offer firearms for sale; or
- (c) possess firearms for the purpose of selling, transferring or repairing them,

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unless authorised to do so by a firearms dealer licence.

Penalty: 50 penalty units or imprisonment for 2 years, or both.

**Restrictions on sale and purchase of firearms by dealers**

**39. (1)** A licensed firearms dealer must not buy a firearm from another person who is not a licensed firearms dealer unless —

- (a) the other person is authorised to possess the firearm by a licence or permit; and
- (b) the firearms dealer has seen the licence or permit.

(2) A licensed firearms dealer must not sell a firearm to another person unless —

- (a) the other person is authorised to possess the firearm by a licence or permit; and
- (b) the firearms dealer has seen the licence or permit; and
- (c) the firearms dealer has seen the other person's permit to acquire the firearm.

Penalty (subsections 39(1) and 39(2)): 50 penalty units or imprisonment for 2 years, or both.

### Recording of transactions

40. (1) A licensed firearms dealer must ensure that —

- (a) all transactions and dealings concerning firearms to which the dealer's firearms dealer licence applies are recorded in accordance with this section; and
- (b) each record is, in accordance with the Regulations, sent to an issuing officer for inclusion of the particulars in the Register and in order to update the Register.

Penalty: 25 penalty units.

(2) Each record must contain the following particulars for each purchase, receipt, sale or transfer of a firearm or ammunition by the dealer concerned from or to the other person dealing with the dealer:

- (a) the name and address of the other person and the other person's date of birth;
- (b) the number of the other person's licence or permit authorising the other person to possess the firearm or ammunition;
- (c) the number of the other person's permit to acquire the firearm;
- (d) for a firearm or ammunition that is or has been in the possession of the dealer —
  - (i) the dates of its initial purchase or receipt by the dealer and of its subsequent sale or transfer out of the possession of the dealer; and
  - (ii) the name and address of the person who initially gave possession of it to the dealer; and
  - (iii) in respect of a firearm - its make, serial number, calibre, type, action and magazine capacity (if any);
- (e) such other particulars as may be prescribed by the Regulations.

(3) An entry required to be made in a record concerning the purchase, receipt, sale or transfer of a firearm must, subject to the regulations be entered within 24 hours of the transaction concerned.

(4) A record must be made and kept in the approved form.

(5) If a licensed firearms dealer ceases to hold such a licence, the former licensed firearms dealer must provide an issuing officer with a record of all transactions during the 2 years immediately preceding the date on which the licence ceased to be in force.

(6) A person who is required to ensure a record is kept or to keep a record under this section, must, on demand made by the issuing officer at any time —

- (a) produce the record to that officer and permit that officer to inspect and make copies of any entries in it; and
- (b) produce to that officer all firearms in the possession of that person; and
- (c) furnish to that officer any information in that person's possession with respect to any firearm that has been manufactured, purchased or received under the authority of the person's firearms dealer licence, or that the person has in his or her possession or has sold or otherwise transferred or repaired under the authority of the licence.

(7) Any person making an alteration to an entry in a record required to be kept under this section must do so by striking out and not by erasure.

Penalty: (subsections 40(2) - 40(7)): 25 penalty units.

### Returns

41. (1) A licensed firearms dealer must, within 30 days after the end of the month of June in each year, forward to an issuing officer a return in the approved form containing the particulars for the preceding year that are required to be recorded under subsection 40(2).

Penalty: 25 penalty units.

(2) This section does not prevent a person from forwarding returns at more frequent intervals than this section requires.

### Additional requirements for dealers

42. (1) A licensed firearms dealer must, if notice in writing is served on the dealer by an issuing officer, furnish to the issuing officer, within such time as is specified in the notice such particulars relating to the acquisition, disposition or possession by the dealer of any firearms or ammunition as are required by the notice.

(2) A licensed firearms dealer must, within 24 hours after becoming aware of the loss, theft or destruction of any firearm or ammunition that was in the possession of the dealer, notify a police office of that loss, theft or destruction.

(3) A licensed firearms dealer must not take possession of any firearm for the purpose of maintaining or repairing it unless the firearms dealer has sighted both of the following —

- (a) the licence or permit of the person who is giving possession of the firearm to the dealer;
- (b) the current notice of registration of the firearm.

(4) A licensed firearms dealer must not maintain or repair any firearm that is not registered.

Penalty: (subsections 42(1) - 42(4)): 25 penalty units.

(5) The Regulations may prescribe other requirements with respect to licensed firearms dealers.

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## PART 5 — FIREARMS PROHIBITION ORDERS

### Firearms prohibition orders

**44. (1)** The Minister may make an order prohibiting a person from having possession of, or using, any firearm if, in the opinion of the Minister, the person is not fit, in the public interest, to be permitted to have possession of a firearm.

**(2)** Without limiting the generality of subsection 44(1), such an order may be made in respect of any person who had possession of or used a firearm immediately before its being seized under this or any other Act.

**(3)** A firearms prohibition order takes effect when it is served personally on the person to whom it is directed.

### Effect of firearms prohibition order

**45. (1)** A person must not possess or use a firearm in contravention of a firearms prohibition order that is in force.

Penalty: 50 penalty units or imprisonment for 2 years or both.

**(2)** Without limiting the generality of subsection 45(1) and for the purposes only of that subsection, a firearm found in or on any premises is, in the absence of proof to the contrary, taken to be possessed by any person subject to a firearms prohibition order who at the time of the finding or recently to that time was in or on or in occupation of the premises.

**(3)** A person must not sell or give possession of a firearm to another person, knowing that the other person is prohibited from possessing firearms by a firearms prohibition order.

Penalty: 50 penalty units or imprisonment for 2 years, or both.

**(4)** In this section “premises” includes any structure, vehicle, vessel or aircraft, or any place, whether built or not.

## PART 5A – PROHIBITED WEAPONS

### Possession or use of prohibited weapons

**45A. (1)** A person shall not possess or use a prohibited weapon unless authorised to do so by this Act.

Maximum penalty: 50 penalty units, imprisonment for 2 years or both.

**(2)** In subsection (1)—

“use” includes fire or explode and, whether or not the weapon concerned is capable of being fired or exploded, cause a reasonable belief that it will be fired or exploded.

Penalty: 50 penalty units, imprisonment for 2 years or both.

NB – By regulation 3 of the *Firearms (Amendment) Regulations 2008*, this section does not apply to the persons and class of persons specified in section 5 of this Act.

### Inspection of prohibited weapons or articles by police

**45B. (1)** A person who possesses a prohibited weapon or prohibited article shall, on demand made by a police officer at any time, produce for inspection by that officer—

(a) the weapon or article; and

(b) any permit that authorises the person to possess the weapon or article.

Penalty: 50 penalty units.

(2) A person commits an offence against subsection (1) only if the police officer, when making the demand, explains to the person that failure to comply with the demand is an offence against this Act.

(3) In subsection (1), a reference to a “prohibited weapon” includes a reference to a part of a prohibited weapon.

#### **Delivery to police by unauthorised holders**

**45C. (1)** A person who—

- (a) comes into possession of a prohibited weapon or a prohibited article, but is not authorised by or under this Act to possess the weapon or article; or
- (b) possesses a prohibited weapon or a prohibited article and ceases to be so authorised to possess the weapon or article;

shall, within 7 days after coming into possession of the weapon or article or ceasing to be so authorised to possess it, deliver the weapon or article to—

- (c) a person who is authorised by a permit to possess it; or
- (d) a police officer.

Penalty: 50 penalty units, imprisonment for 6 months or both.

(2) A person does not contravene any other provision of this Act just by delivering or surrendering anything in accordance with this section or by accepting its delivery.

#### **Permits**

**45D. (1)** The Administrator may issue a permit authorising the possession or the possession and use of a prohibited weapon.

(1A) The Administrator must refuse to issue a permit to a person who is disqualified by subsection 98ZJ(1) of the *Crimes (Domestic and Personal Violence) Act 2007* (NSW) (NI) from holding such a permit.

(2) The Regulations may provide for mandatory or discretionary grounds for refusing the issue of a permit.

(3) A permit may be issued subject to conditions.

(4) The conditions may provide for the expiration of the permit, limit the authority it confers and impose requirements on the person to whom the permit is issued.

(5) The Administrator may, for any reason the Administrator considers sufficient, cancel a permit by causing written notice of its cancellation to be served on the person to whom the permit was issued.

(5A) The Administrator must, by written notice given to a person who:

- (a) has been issued a permit; and
- (b) is disqualified by subsection 98ZJ(1) of the *Crimes (Domestic and Personal Violence) Act 2007* (NSW) (NI) from holding such a permit;

cancel the permit.

(6) A person to whom a permit was issued may surrender the permit for cancellation.

(7) Reference to a permit in this Part is reference only to a permit issued in accordance with this section.

#### **Contravention of conditions**

**45E.** A person to whom a permit is issued shall not contravene any requirement made by the conditions of a permit.

Penalty: 50 penalty units.

#### **Production of permit**

**45F. (1)** A person to whom a permit is issued shall, on demand of a police officer at any time—

- (a) produce the permit for inspection by the police officer if the person has the permit in his or her possession; or
- (b) state the person's full name and usual place of residence to the police officer.

Penalty: 50 penalty units, imprisonment for 6 months or both.

(2) A person commits an offence against subsection (1) only if the police officer, when making the demand, explains to the person that failure to comply with the demand is an offence against this Act.

#### **Surrender of cancelled permit**

**45G.** If a permit is cancelled or expires, the person to whom it was issued shall within 7 days of that cancellation or expiry, surrender it to the registrar.

Penalty: 50 penalty units, imprisonment for 6 months or both.

### **PART 6 — OFFENCES**

#### **Buying of firearms**

**46. (1)** A person must not buy a firearm unless the person is —

- (a) authorised to possess the firearm by a licence or permit; and
- (b) except in the case of a licensed firearm dealer, authorised to acquire the firearm by a permit.

Penalty: 50 penalty units or imprisonment for 2 years, or both.

#### **Restrictions on sale and purchase of firearms**

**47. (1)** A person other than a licensed firearms dealer must not sell a firearm to another person unless —

- (a) that other person is a licensed firearms dealer; or
- (b) the sale has, in accordance with the Regulations, been arranged through a licensed firearms dealer.

(2) A person other than a licensed firearms dealer must not purchase a firearm from another person unless —

- (a) that other person is a licensed firearms dealer; or



- (b) the purchase has, in accordance with the Regulations, been arranged through a licensed firearms dealer.

Penalty (subsections 47(1) and 47(2)): 25 penalty units or imprisonment for 12 months, or both.

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### **Inspection of firearms by police**

**49. (1)** A person who is carrying a firearm or possesses a firearm that is within the immediate vicinity of the person must, on the demand of a police officer at any reasonable time, produce for inspection by the police officer —

- (a) the firearm; and  
 (b) any licence or permit that authorises the person to possess the firearm.

Penalty: 25 penalty units or imprisonment for 12 months, or both.

**(2)** A person is guilty of an offence under this section only if the police officer, when making the demand, explains to the person that failure to comply with the demand is an offence under this Act.

**(3)** A person is not guilty of an offence under this section because of failing to produce a licence or permit if the person produces it to a police officer within 6 hours after the demand for its production is made.

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### **Restrictions where alcohol or drugs involved**

**50. (1)** A person must not handle or use a firearm while the person is under the influence of alcohol or any other drug.

**(2)** A person must not sell or give possession of a firearm to another person —

- (a) if the person knows or has reasonable cause to believe that the other person is under the influence of alcohol or any other drug; or  
 (b) if the other person's appearance or behaviour is such that the person intending to sell or give possession of the firearm believes or has reasonable cause to believe that the other person is incapable of exercising responsible control over the firearm.

Penalty (subsections 50(1) and 50(2)): 50 penalty units or imprisonment for 2 years, or both.

### **Sale, purchase and possession of ammunition**

**51. (1)** A person (**the seller**) must not sell ammunition to another person (**the buyer**) unless the buyer holds a prescribed authorisation and the seller has seen that authorisation.

**(2)** A person must not buy or possess ammunition unless the person holds a prescribed authorisation.

**(3)** A person must not, under a prescribed authorisation, buy at any one time more than the amount of ammunition prescribed in respect of that type of authorisation.

Penalty (subsections 51(1), 51(2) or 51(3)): 50 penalty units or imprisonment for 2 years or both.

(4) In this section —

“prescribed authorisation for ammunition” means —

- (a) in respect of ammunition for use in a Category A firearm —
  - (i) a Category A licence; or
  - (ii) a visiting sporting shooter permit, minor’s firearms permit or a permit to use a firearm (if the firearm specified in the permit is a Category A firearm); or
- (b) in respect of ammunition for use in a Category B firearm —
  - (i) a Category B licence; or
  - (ii) a visiting sporting shooter permit, minor’s firearms permit or a permit to use a firearm (if the firearm specified in the permit is a Category B firearm); or
- (c) in respect of ammunition for use in a Category C firearm —
  - (i) a Category C licence or special Category C licence; or
  - (ii) a visiting sporting shooter permit or a permit to use a firearm (if the firearm specified in the permit is a Category C firearm); or
- (d) in respect of ammunition for use in a Category H firearm —
  - (i) a Category H licence; or
  - (ii) a visiting sporting shooter permit, minor’s firearms permit or a permit to use a firearm (if the firearm specified in the permit is a Category H firearm); or
- (e) in respect of ammunition for use in any firearm —
  - (i) an ammunition collectors permit authorising the collection of that ammunition; or
  - (ii) a dealer licence authorising the buying, sale or possession of that ammunition.

#### **Defacing or altering identification marks**

**52.** A person must not —

- (a) deface or alter any number, letter or identification mark on a firearm; or
- (b) possess a firearm on which any number, letter or identification mark has been defaced or altered,

unless the defacing or alteration is authorised by the issuing officer.

Penalty: 50 penalty units or imprisonment for 2 years or both.

#### **Manufacturing firearms without authority**

**52A.** A person must not manufacture a firearm unless the person is authorised to do so by a dealer licence.

Penalty: 50 penalty units or imprisonment for 2 years or both.

#### **Shortening firearms without authority**

**52B.** A person must not —

- (a) shorten a firearm (other than a Category H firearm); or

- (b) possess a shortened firearm (unless the firearm is registered to the person); or
- (c) transfer a shortened firearm to another person,

unless the person is authorised to do so by a permit to shorten a firearm.

Penalty: 50 penalty units or imprisonment for 2 years or both.

#### **Modifying firearms without authority**

**52C. (1)** A person must not modify a firearm unless the person is authorised to do so by —

- (a) a permit to modify a firearm; or
- (b) a dealer licence.

**(2)** A person who —

- (a) is authorised by a permit to modify a firearm; and
- (b) modifies that firearm,

must produce the firearm to the issuing officer within 7 days of modifying the firearm to enable the issuing officer to determine if it has been modified in accordance with the permit.

Penalty (subsections 52C(1) and 52C(2)): 50 penalty units or imprisonment for 2 years or both.

#### **Requirement to notify change of address**

**53.** A licensee or the holder of a permit must, if there is any change in the licensee's or permit holder's place of residence, provide a police officer with the particulars of the change of address within 7 days after the change occurs.

Penalty: 25 penalty units.

#### **False or misleading applications**

**54.** A person must not, in or in connection with an application under this Act or the Regulations, make a statement or provide information that the person knows is false or misleading in a material particular.

Penalty: 50 penalty units or imprisonment for 2 years, or both.

#### **Misuse of licences and permits**

**55.** A person must not —

- (a) falsely represent himself or herself to be the holder of a licence or permit (whether or not it is in force); or
- (b) forge or fraudulently alter a licence or permit (whether or not it is in force); or
- (c) give possession of a licence or permit to another person for the purpose of using it unlawfully; or
- (d) steal a licence or permit; or
- (e) knowingly have possession of a forged, fraudulently altered, borrowed or stolen licence or permit.

Penalty: 50 penalty units or imprisonment for 2 years, or both.

**Altering or falsifying records**

**56.** A person must not, with intent to deceive —

- (a) alter any record required to be made or kept by or under this Act or the Regulations; or
- (b) make a false or misleading entry in any such record.

Penalty: 50 penalty units or imprisonment for 2 years, or both.

**Use of mail for sending firearms outside Norfolk Island**

**56A.** A person must not send a firearm to another person by mail unless —

- (a) the person sending the firearm is a licensed firearms dealer; and
- (b) the address to which the firearm is sent is outside Norfolk Island; and
- (c) the other person would not, because of receiving the firearm or being in possession of it at the place to which it is sent, be guilty of any offence under any law that applies at that place; and
- (d) the other person is a licensed firearms dealer under the law at that other place.

Penalty: 50 penalty units or imprisonment for 2 years, or both.

**Advertising sale of firearms**

**56B.** A person must not cause an advertisement for the sale of a firearm to be published unless the identifying number of the firearm is quoted in the advertisement and —

- (a) the person is a licensed firearms dealer; or
- (b) the proposed sale is to be arranged by or through a licensed firearms dealer.

Penalty: 25 penalty units.

**Means of delivering possession of firearms**

**56C.** Subject to section 56A, a person must not deliver possession of a firearm to another person except —

- (a) in person; or
- (b) by means of another person who appears to the person to be able to ensure the security of the firearm during the course of delivery.

Penalty: 25 penalty units, or imprisonment for 12 months, or both.

**Transport of firearms and ammunition**

**56D.** A person who is engaged in the business of transporting goods shall not, without reasonable excuse, transport any item of cargo that contains both a firearm and ammunition.

Penalty: 50 penalty units.

**Transport of scheduled firearms or pistols**

**56E.** A person must not convey (whether or not in the course of business) —

- (a) a scheduled firearm (other than a scheduled firearm that has been rendered permanently inoperable); or
- (b) a pistol,

except in accordance with the safety requirements prescribed for the purposes of this section.

Penalty: 25 penalty units, or imprisonment for 12 months, or both.

#### **Discharge of firearms on certain land**

- 56F. (1)** A person must not discharge a firearm on land unless —
- (a) the person is the owner or occupier of the land;
  - (b) the occupier of the land has consented, either expressly or impliedly, to the discharge of the firearm on the land; or
  - (c) the person is authorised by or under another law in force in Norfolk Island to discharge the firearm on the land.

Penalty: 50 penalty units or imprisonment for 12 months.

- (2)** The onus of proving a fact referred to in subsection (1) lies on the person alleging it and the standard of proof is the balance of probability.

#### *Possession, etc, of firearms on certain land*

**56G. (1)** A person must not possess a firearm on land the boundaries of which are fenced or clearly marked unless —

- (a) the person is the owner or occupier of the land;
- (b) the occupier of the land has consented, either expressly or impliedly, to the person possessing the firearm on the land;
- (c) the person is —
  - (i) approaching the residence of the occupier along a defined or customary road or track for the purpose of applying for consent; or
  - (ii) proceeding along a defined or customary road or track for the purpose of reaching a destination outside the land;
- (d) the person is authorised by or under another law in force in Norfolk Island to possess the firearm on the land; or
- (e) the person has some other lawful excuse for possessing the firearm on the land.

Penalty: 50 penalty units or imprisonment for 12 months.

**(2)** The onus of proving a fact referred to in subsection (1) lies on the person alleging it and the standard of proof is the balance of probability.

#### **Restriction on use, etc, of firearms on certain vacant Administration land**

**56H. (1)** The Minister may, by notice in the Gazette, prohibit the possession or use of a firearm or a category of firearm on Administration land specified in the notice.

**(2)** Where a notice is in force under subsection (1), a person must not possess or use a firearm or a firearm of the category of firearm specified in the notice on the Administration land specified in the notice.

Penalty: 10 penalty units or imprisonment for 3 months.

#### **Discharge of firearms on roads, etc**

**56J. (1)** A person must not knowingly or carelessly or negligently discharge a firearm on, from, towards or across a public road, public street or public place.

Penalty: 50 penalty units or imprisonment for 12 months.

(2) It is a defence to a prosecution for an offence against subsection (1) for the defendant to prove that he or she had a lawful excuse for discharging the firearm in the circumstances.

### **Prohibited use of firearms**

**56K.** Unless permitted by a law in force in Norfolk Island, a person must not —

- (a) engage in a contest, game or encounter that involves pointing a firearm;  
or
- (b) point or discharge a firearm,

at or in the direction of another person.

Penalty: 50 penalty units or imprisonment for 12 months.

### **Discharge of firearm causing danger, etc**

**56L. (1)** A person must not discharge a firearm to endanger, annoy or frighten, or in a manner that is likely to endanger, annoy or frighten, the public or a person.

Penalty: 50 penalty units or imprisonment for 12 months.

(2) It is a defence to a prosecution for an offence against subsection (1) for the defendant to prove that he or she had a lawful excuse for discharging the firearm in the circumstances.

## **PART 7 — MISCELLANEOUS**

### **Safe keeping of firearms**

**57. (1)** A person who possesses a firearm must take all reasonable precautions to ensure —

- (a) its safe keeping; and
- (b) that it is not stolen or lost; and
- (c) that it does not come into the possession of a person who is not authorised to possess the firearm.

Penalty: 25 penalty units, or imprisonment for 12 months, or both.

(2) The Regulations may specify the precautions that are taken to be reasonable precautions for the purposes of this section.

### **Storage requirements - Category A and B firearms**

**58. (1)** A person who is authorised under this Act to possess a Category A or B firearm must store the firearm in accordance with this section unless —

- (a) the person is holding, carrying or transporting the firearm; or
- (b) the person is authorised by a dealer licence to possess a firearm of that type and a customer is inspecting that firearm; or
- (c) the person is complying with subsection 58(4) or section 58A; or
- (d) the person is authorised to display the firearm and is complying with that authorisation.

Penalty (subsection 58(1)): 50 penalty units, or imprisonment for 2 years, or both.

(2) The stored firearm must be rendered temporarily inoperable in the prescribed manner.

(3) A person must store the firearm in a locked receptacle —

- (a) that is constructed of hard wood or steel so as not to be easily penetrable; and
- (b) if the receptacle weighs less than 150 kilograms when empty - that is bolted to the structure of premises on which the firearm is authorised to be kept; and
- (c) that has at least one solid metal lock of a type approved by the issuing officer; and
- (d) if the person possess the firearm under a special collectors licence, an heirloom licence or a war souvenir licence - that is fitted with hinges that are concealed or that have the hinge pins welded,

and must comply with any other prescribed requirements about storage.

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(4) A licensee is not required to comply with this section in respect of a firearm to the extent that the licensee satisfies the issuing officer that the licensee has provided alternative arrangements for the storage of the firearm that are of a standard not less than that required by this section.

#### **Storage requirements - Category C, D and H firearms**

**58A. (1)** A person who is authorised under this Act to possess a Category C, D or H firearm or a scheduled firearm must store the firearm in accordance with this section unless —

- (a) the person is holding, carrying or transporting the firearm; or
- (b) the person is authorised by a dealer licence to possess a firearm of that type and a customer is inspecting that firearm; or
- (c) the person is complying with subsection 58A(4); or
- (d) the person is authorised to display the firearm and is complying with that authorisation.

Penalty (subsection 58A(1)):                      50 penalty units, or imprisonment for 2 years, or both.

(2) The stored firearm must be rendered temporarily inoperable in the prescribed manner.

(3) A person must store the firearm in a locked safe constructed of structural grade mild steel —

- (a) of a type approved by the issuing officer;
- (b) that is constructed so as not to be easily penetrable; and
- (c) that is bolted to the structure of the premises in which the firearm is authorised to be kept; and
- (d) that has at least one solid metal lock of a type approved by the issuing officer; and

- (e) if the person possesses the firearm under a special collectors licence, an heirloom licence or a war souvenir licence - that is fitted with hinges that are concealed or that have the hinge pins welded,

and must comply with any other prescribed requirements about storage.

(4) A licensee is not required to comply with this section in respect of a firearm to the extent that the licensee satisfies the issuing officer that the licensee has provided alternative arrangements for the storage of the firearm that are of a standard not less than that required by this section.

#### **Storage requirements - ammunition**

**58AB. (1)** A person who is authorised under this Act to possess ammunition must store the ammunition in a locked container of a type approved by the issuing officer unless —

- (a) the person is holding, carrying or transporting the ammunition; or
- (b) the person is authorised by a dealer licence to possess ammunition of that type and a customer is inspecting that ammunition; or
- (c) the person is authorised to display the ammunition and is complying with that authorisation.

Penalty (subsection 58AB(1)): 50 penalty units, or imprisonment for 2 years, or both.

(2) If a person possesses a firearm at the same time as the ammunition, the locked container in which the person stores the ammunition must be kept separate from the firearm.

(3) A person must also comply with any prescribed requirements in respect of the storage of ammunition.

(4) For the avoidance of doubt, any law of Norfolk Island about the storage of explosives operates concurrently with this Act unless it is inconsistent with this Act.

#### **Storage requirements - display of firearms**

**58AC. (1)** A person who is authorised under this Act to display a firearm may display the firearm in accordance with this section.

(2) A person may display the firearm by permanently fixing it to a sturdy wood or metal frame that is bolted to the structure of premises in which the firearm is authorised to be kept.

- (3) A person may display the firearm by —
  - (a) enclosing it in a locked cabinet that —
    - (i) has laminated glass panelling that is at least 7.5 millimetres thick; and
    - (ii) has sturdy timber or metal construction panelling making up any side where there is no glass panelling; and
  - (b) securely attaching the firearm to the cabinet by a high tensile stainless steel cable that —
    - (i) is at least 4 millimetres in diameter; and
    - (ii) passes through the trigger guard of the firearm; and



- (iii) is securely fixed to the cabinet by a locked padlock of a type approved by the issuing officer; and
  - (c) ensuring that at all times when the firearm is displayed, the premises on which the firearm is displayed are not left unattended for a period of more than 72 hours.
- (4) If the firearm is a Category A or B firearm and the person is authorised by a dealer licence to possess a firearm of that type, then the person may display the firearm by —
- (a) locking it securely in a padlocked rack that is permanently attached to a wall of premises on which the firearm is authorised to be kept; and
  - (b) securely attaching the firearm to the rack by a high tensile stainless steel cable that —
    - (i) is at least 4 millimetres in diameter; and
    - (ii) passes through the trigger guard of the firearm; and
    - (iii) is securely fixed to the cabinet by a locked padlock of a type approved by the issuing officer; and
  - (c) ensuring that at all times when the firearm is displayed —
    - (i) a person to whom the firearm is registered is at the premises; or
    - (ii) a security grille or metal shutter of a type approved by the issuing officer is locked over the firearm,
 and the person must comply with any prescribed requirements in respect of the storage of the firearm.

(5) The displayed firearm must be rendered temporarily inoperable in the prescribed manner

**but**

a scheduled firearm must be rendered permanently inoperable in the prescribed manner if it is to be displayed in accordance with subsection 58AC(2) or 58AC(3).

#### **Storage requirements - display of ammunition**

**58AD. (1)** A person who is authorised under this Act to display ammunition may display the ammunition in accordance with this section.

- (2) A person may display the ammunition in a locked cabinet that —
- (a) has laminated glass panelling that is at least 7.5 millimetres thick; and
  - (b) has sturdy timber or metal construction panelling making up any side where there is no glass panelling,

and the person must comply with any prescribed requirements in respect of the storage of the ammunition.

#### **Seizure of firearms if storage requirements not met**

**58B.** A police officer is authorised to seize any firearm or ammunition that the officer has reasonable grounds to believe is not being kept in accordance with sections 57 to 58AD.

**Sale etc of scheduled weapons**

**59. (1)** This section applies to the following kinds of scheduled firearms other than firearms that have been rendered permanently inoperable —

- (a) self-loading rimfire or centre-fire rifles;
- (b) self-loading or pump action shotguns;
- (c) such other prohibited firearms as may be prescribed by the Regulations.

**(2)** A person shall not sell or otherwise part with possession of a firearm to which this section applies otherwise than by surrendering that firearm to the Administration.

Penalty: 50 penalty units.

**(3)** A person who surrenders to the Administration a firearm to which this section applies is, during the period specified in the Regulations, entitled to compensation of an amount as determined by or under the Regulations, but is not otherwise entitled to any compensation.

**(4)** A firearm that is surrendered under this section is forfeited to the Administration after compensation for the firearm is paid in accordance with the Regulations.

**(5)** The Minister is to make arrangements for the disposal or destruction of firearms forfeited under this section.

**Right of appeal**

**60. (1)** A person may appeal to the Court against —

- (a) the refusal of or failure by an issuing officer to issue a licence or permit to the person; or
- (b) a condition imposed on a licence or permit issued to the person; or
- (c) the revocation of a licence or permit issued to the person (other than a revocation on the basis that the holder of the licence or permit is subject to a firearms prohibition order); or
- (d) the refusal or failure by an issuing officer to register a firearm; or
- (e) the cancellation of the registration of a firearm by an issuing officer; or
- (f) a firearms prohibition order made against the person.

**(2)** An appeal under subsection 60(1) must be made within the period prescribed in the Regulations.

**Conduct of appeal**

**61. (1)** An appeal under subsection 60(1) is to be dealt with by way of a new hearing and new evidence or new information may be given.

**(2)** When hearing an appeal under subsection 60(1), the Court is not bound by the rules of evidence and may inform itself in such manner as it thinks fit.

**(3)** In determining an appeal under subsection 60(1) the Court must have regard to this Act, the Regulations and the circumstances of the case and public interest and may —

- (a) dismiss the appeal; or

- (b) direct the issuing officer to take such action under this Act or the Regulations as the Court considers is appropriate.

### **Effect of appeal**

**62.** If an appeal is made to the Court against —

- (a) a condition imposed on a licence or permit; or
- (b) a firearms prohibition order,

the condition or order continues in force until the appeal is determined by the Court, unless the Court otherwise orders.

### **Disclosures by health practitioners of certain information**

**62A. (1)** If a medical practitioner, registered psychologist, registered nurse or other health practitioner or counsellor (in this section referred to as **the practitioner**) reasonably believes that —

- (a) possession of a firearm by a person to whom the practitioner has provided professional services (in this section referred to as **the patient**) is likely to be unsafe for the patient or for any other person; and
- (b) the patient holds a licence or permit under this Act, or intends to apply for such a licence or permit,

the practitioner may inform the issuing officer of that belief.

**(2)** If the practitioner informs the issuing officer of his or her belief as described in subsection 62A(1), the practitioner must provide to the issuing officer in writing —

- (a) confirmation of that belief; and
- (b) the patient's name and address; and
- (c) the practitioner's reasons for believing that it would be unsafe for the patient to possess a firearm.

**(3)** The practitioner is not subject to any civil or criminal liability for providing information in good faith under this section.

### **Disposal of surrendered or seized firearms**

**63. (1)** The Court may, on application by a police officer or by any person who claims to be the owner of a firearm surrendered to or seized by a police officer in accordance with this Act, order that the firearm —

- (a) be forfeited to the Crown; or
- (b) be returned to the person claiming to be the owner of the firearm; or
- (c) be otherwise disposed of in such manner as the Court thinks fit.

**(2)** If a person is found guilty of an offence under this Act and a firearm has been seized by a police officer in connection with the offence, the court which makes the finding of guilt is taken to have ordered that the firearm be forfeited to the Crown and any firearm so forfeited may be destroyed.

**(3)** This section does not apply to any firearm that is surrendered in accordance with section 59.

- (4)** In this section “firearm” includes ammunition.

**Evidence**

**64.** A certificate signed by an issuing officer certifying any one or more of the following:

- (a) that a specified person was or was not, on a day or during a specified period, the holder of a licence or permit;
- (b) that any licence or permit was or was not, on a day or during a specified period, subject to specified conditions;
- (c) that a specified person was or was not, on a specified day or during a specified period, subject to a firearms prohibition order;
- (d) that a specified firearm was registered or unregistered on a day or during a specified period;
- (e) that a specified person was the person in whose name a firearm was registered on a day or during a specified period;
- (f) that a specified address was, on a specified date, the last address known to the issuing officer of a specified person,

is admissible in any proceedings under this Act and is prima facie evidence of the matters so certified.

**Regulations**

**65. (1)** The Administrator may make regulations, not inconsistent with this Act, prescribing matters —

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

**(2)** Without limiting the generality of subsection 65(1), Regulations may be made in relation to —

- (a) the acquisition, possession, registration, storage, identification, maintenance, carrying, conveyance, altering, repair, testing and use of firearms; and
- (b) the compensation payable in respect of the surrender of the scheduled firearms to which section 59 applies; and
- (c) firearms dealers; and
- (d) pistol clubs, and their members, and pistol ranges; and
- (e) clubs and shooting ranges for other firearms; and
- (f) the approval of club armourers to repair firearms or to act as firearm dealers; and
- (g) licences, licence renewals and duplicate licences; and
- (h) permits, approvals and authorisations; and
- (i) forms, records, notices and returns; and
- (j) fees payable under this Act or the Regulations; and
- (k) exempting persons from specified requirements of this Act or the Regulations; and
- (l) firearms training and safety courses; and

- (m) the means by which a person must or may prove that a firearm has been rendered permanently inoperable; and
- (n) the service of notices or other communications.

(3) A Regulation may create an offence punishable by a penalty not exceeding 10 penalty units.

(4) The Regulations may amend the Schedule —

- (a) by adding the name or description of a firearm; or
- (b) by amending a name or description of a scheduled firearm for the purpose of more accurately describing the firearm concerned.

## PART 8 — REPEAL AND SAVINGS

### Repeal of Gun Licence Act 1958

66. The *Gun Licence Act 1958* is repealed.

### Saving of existing licences

67. (1) Subject to the Regulations, an existing licence that authorised the possession of a firearm —

- (a) is taken to be a licence of the corresponding kind (as determined by the issuing officer) issued under this Act; and
- (b) referred to in subsection 59(1), continues to authorise the possession (but not use) of that firearm until the prescribed date; and
- (c) other than a firearm referred to in subsection 59(1), continues to authorise the possession or use of that firearm until the prescribed date.

(2) In this Part “existing licence” means a licence that was granted under the *Gun Licence Act 1958* and that was in force immediately before the commencement of section 66.

(3) Any condition to which an existing licence was subject is, subject to the Regulations, taken to be a condition imposed under the Act and any such condition may be changed or revoked in accordance with this Act.

### Savings and transitional Regulations

68. (1) The Regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act.

(2) Any such savings or transitional provision may, if the Regulations so provide, take effect on the date of Assent to this Act or a later day.

(3) To the extent to which any such savings or transitional provision takes effect on a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as —

- (a) to affect, in a manner prejudicial to any person (other than the Administration), the rights of that person existing before the date of its publication; or
- (b) to impose liabilities on any person (other than the Administration) in respect of anything done or omitted to be done before the date of its publication.

**SCHEDULE 1****SCHEDULED FIREARMS***(Section 3)*

1. Any machine gun, sub-machine gun or other firearm capable of propelling projectiles in rapid succession during one pressure of the trigger.
2. Any self-loading rimfire rifle (including any such firearm described elsewhere in this Schedule).
3. Any self-loading centre-fire rifle (including any such firearm described elsewhere in this Schedule).
4. Any self-loading or pump action shotgun (including any such firearm described elsewhere in this Schedule).
5. Any self-loading centre-fire rifle of a kind that is designed or adapted for military purposes.
6. Any self-loading shotgun of a kind that is designed or adapted for military purposes.
7. Any firearm that substantially duplicates in appearance (regardless of calibre or manner of operation) a firearm referred to in item 1, 5 or 6.
8. A shotgun fitted with or designed to be fitted with a drum magazine of the “Striker 12” assault shotgun type or any similar weapon.
9. A firearm, not being a pistol, fitted with a stock that is specifically designed so as to be readily detachable, or to operate on a swivel, folding or telescopic basis.
10. A large calibre armament, weapon or projector as follows:
  - (a) cannon;
  - (b) gun;
  - (c) howitzer;
  - (d) military flame thrower;
  - (e) mortar;
  - (f) projectile launcher;
  - (g) recoilless rifle; or
  - (h) tank destroyer.
11. A device known as a “powerhead” that can be attached to the end of a spear gun and that is designed to propel a projectile by means of an explosive.

## SCHEDULE 2

## PROHIBITED WEAPONS

Column 1 Item	Column 2 Description
1	Any explosive, incendiary, irritant or poison gas— (a) bomb; or (b) grenade; or (c) rocket having a propellant charge of more than 100g; or (d) missile having an explosive or incendiary charge of more than 7g; or (e) mine; or a similar device.
2	An article being— (a) a rimfire magazine with a capacity of more than 15 rounds; or (b) a centre-fire self-loading rifle magazine, or shotgun magazine, with a capacity of more than 5 rounds; or (c) a shotgun tubular magazine extension to extend the capacity of a shotgun magazine to more than 5 rounds.
3	A spear gun having an overall length of less than 45cm.
4	A crossbow other than a crossbow manufactured before 1 January 1900.
5	A knife commonly known as a flick knife that has a blade that opens automatically by gravity or centrifugal force or by any pressure applied to a button, spring or device in or attached to the handle of the knife.
6	A sheath knife that has a sheath that withdraws into its handle by gravity or centrifugal force or if pressure is applied to a button, spring or device attached to or forming part of the sheath, handle or blade of the knife.
7	A walking stick or walking cane containing a sword.
8	A riding crop containing a knife or stiletto.
9	A device known as a Taser Self-Defence weapon or any similar device.
10	A device known as an Urban Skinner push dagger or any similar device.
11	A butterfly knife or any similar device.
12	A knife commonly known as a star knife or any similar device.
13	A flame thrower of military design or similar device.
14	A device known as a Farallon Shark Dart or any similar device that is designed to expel, on contact, any gas or other substance capable of causing bodily harm and that is reasonably capable of being carried concealed about the person.

Column 1	Column 2
Item	Description
15	<p>A device known as a Saunders ‘Falcon’ Hunting Sling or any other article or device in the nature of a hunting sling, catapult or slingshot that is designed for use with, or a component part of which is, a brace that—</p> <p>(a) fits or rests on the forearm or on another part of the body of the user; and</p> <p>(b) supports the wrist against the tension of elastic material used to propel a projectile.</p>
16	<p>An article known as the ‘Bowen Knife Belt’ or any article of similar design capable of concealing or disguising a knife or any like article.</p>
17	<p>Any article or device of a type commonly known as a knuckleduster or metal knuckles or any article or device made or adapted for use as such.</p>
18	<p>A sap glove.</p>
19	<p>A studded glove.</p>
20	<p>Any blowgun capable of projecting a dart.</p>
21	<p>Any dart capable of being projected from a blowgun.</p>
22	<p>A mace or any similar article other than a ceremonial mace made for and used solely as a symbol of authority on ceremonial occasions.</p>
23	<p>Any article or device in the form of a flail in which the striking part is armed with spikes or studded with any protruding matter.</p>
24	<p>A whip the lash of which is comprised wholly or partly of any form of metal.</p>
25	<p>A cat-o’-nine-tails or any similar article or device whether or not it has nine lashes.</p>
26	<p>An article commonly known as kung fu sticks, otherwise known as a nunchaku, or any similar article.</p>
27	<p>A side-handled baton or any similar device.</p>
28	<p>Anything designed or intended as a defence or antipersonnel spray that is capable of discharging by any means any irritant matter (not being an irritant matter referred to in item 29) in liquid, powder, gas or chemical form.</p>
29	<p>Anything designed or intended as a defence or antipersonnel spray that is capable of discharging by any means any irritant matter comprising or containing any one or more of the following substances in liquid, powder, gas or chemical form:</p> <p>(a) chloroacetophenone, known as CN;</p> <p>(b) orthochlorobenzalmalononitrile, known as CS;</p> <p>(c) dypenylaminechloroarsone, known as DM or Adamsite;</p> <p>(d) oleoresin capsicum, known as OC.</p>
30	<p>A ballistic knife (other than a ballistic knife that propels a projectile by means of an explosive) or any similar device.</p>



<b>Column 1 Item</b>	<b>Column 2 Description</b>
31	An article commonly known as a “laser pointer” designed or adapted to emit a laser beam with an accessible emission limit of greater than 1 mW or class 11 classification of the American Standards Institute.
32	A silencer, sound moderator or sound suppressor, or any other device designed to reduce, or capable of reducing, the noise of discharge of a firearm.

**NOTES**

The *Firearms and Prohibited Weapons Act 1997* as shown in this consolidation comprises Act No. 15 of 1997 and amendments as indicated in the Tables below.

<b>Enactment</b>	<b>Number and year</b>	<b>Date of commencement</b>	<b>Application saving or transitional provision</b>
<i>Firearms Act 1997</i>	15, 1997	ss. 1 & 2, 23.10.97 ss. 3-58, 60-68, 10.12.98 s. 59, 18.6.00	67, 68
<i>Firearms Amendment Act 1997</i>	23, 1997	19.12.97	
<i>Firearms Amendment Act 1999</i>	5, 1999	ss 1, 2 26.3.99 rem. 9.12.99	s. 25
<i>Firearms Amendment (No. 2) Act 1999</i>	18, 1999	ss 1, 2 30.9.99 rem 9.12.99	s. 54
<i>Statutes Amendment (Miscellaneous Provisions) Act 1999</i>	21, 1999	28.10.99 17.7.00	
<i>Firearms Amendment Act 2000</i>	11, 2000	rem. 25.5.00	
		<i>[Previously consolidated as at 1 October 2002]</i>	
<i>Firearms Amendment Act 2004</i>	18, 2004	27.8.04	
		<i>[Previously consolidated as at 28 February 2006]</i>	
<i>Firearms (Amendment) Act 2008</i>	16, 2008	26.9.08	
		<i>[Previously consolidated as at 27 September 2008]</i>	
		<i>[NB consolidated again as at 2 December 2008 –footnote added to section 45A]</i>	
<i>Interpretation (Amendment) Act 2012</i>	14, 2012	28.12.12	
<i>[to substitute throughout — Commonwealth Minister for Minister; and to substitute Minister for executive member]</i>			

Ordinance	Registration	Commencement	Application, saving and transitional provisions
Norfolk Island Continued Laws Amendment Ordinance 2015 (No. 2, 2015) (now cited as Norfolk Island Continued Laws Ordinance 2015 (see F2015L01491))	17 June 2015 (F2015L00835)	18 June 2015 (s 2(1) item 1)	Sch 1 (items 344, 345, 375A–381)
<b>as amended by</b>			
Norfolk Island Continued Laws Amendment (2017 Measures No. 1) Ordinance 2017 (No. 2, 2017)	23 May 2017 (F2017L00581)	Sch 1 (item 6): 1 Aug 2017 (s 2(1) item 3)	—
Norfolk Island Legislation Amendment (Protecting Vulnerable People) Ordinance 2018	28 Sept 2018 (F2018L01377)	Sch 5 (item 11): 29 Sept 2018 (s 2(1) item 1)	—

#### Table of Amendments

ad = added or inserted    am = amended    rep = repealed    rs = repealed and substituted

Provisions affected	How affected
3	am    5, 1999; 18, 1999; 16, 2008
3A	ad    18, 1999
3B	ad    18, 1999
4	am    18, 1999
5	rs    5, 1999
	am    18, 1999
5A	ad    5, 1999
	am    18, 1999
6	am    18, 1999
6A	ad    5, 1999
	am    18, 1999
7	am    5, 1999
9	am    5, 1999
9A	ad    18, 1999
10	am    5, 1999
12	am    5, 1999; 18, 1999
13	am    5, 1999; 18, 1999
13A	ad    18, 1999
13B	ad    18, 1999
14	am    5, 1999; 18, 1999
15	am    5, 1999
	rs    18, 1999
16	am    5, 1999; 18, 1999; Ord No 2, 2015 (as am by F2018L01377)
17	am    23, 1997; 5, 1999; 18, 1999
	rs    11, 2000

ad = added or inserted    am = amended    rep = repealed    rs = repealed and substituted

<b>Provisions affected</b>	<b>How affected</b>	
18	am	5, 1999
18A	ad	18, 1999
19	am	18, 1999
20	am	5, 1999; 18, 1999
21	am	18, 1999; Ord No 2, 2015 (as am by F2018L01377)
22	am	18, 1999; Ord No 2, 2015 (as am by F2018L01377)
23	am	18, 1999
24	am	5, 1999
	rs	18, 1999; 11, 2000
24A	ad	18, 1999
	rs	11, 2000
	am	16, 2008
25	rs	18, 1999
26	am	5, 1999
	rs	18, 1999
26A	ad	18, 1999
	am	11, 2000; Ord No 2, 2015 (as am by F2018L01377)
26B	ad	18, 1999
26C	ad	18, 1999
26D	ad	18, 1999
	am	Ord No 2, 2015 (as am by F2018L01377)
26E	ad	18, 1999
	am	Ord No 2, 2015 (as am by F2018L01377)
26F	ad	18, 1999
27	am	18, 1999
28	rs	18, 1999
29	rs	18, 1999
30	rs	18, 1999
31	rs	18, 1999
31A	ad	18, 1999
31B	ad	18, 1999
31C	ad	18, 1999
31D	ad	18, 1999
31E	ad	18, 1999
32	am	18, 1999
32A	ad	18, 1999
33	rs	18, 1999
34	am	18, 1999
34	am	18, 1999
35	am	18, 1999

ad = added or inserted    am = amended    rep = repealed    rs = repealed and substituted

Provisions affected	How affected	
36	am	18, 1999
37	rep	18, 1999
38	am	18, 1999
40	am	18, 1999
42	am	18, 1999
43	rep	18, 1999
45A	ad	16, 2008
	NB	see Regs 12, 2008
45B	ad	16, 2008
45C	ad	16, 2008
45D	ad	16, 2008
	am	Ord No 2, 2015 (as am by F2018L01377)
45E	ad	16, 2008
45F	ad	16, 2008
45G	ad	16, 2008
47	am	5, 1999
48	rep	18, 1999
49	am	18, 1999
51	am	18, 1999
52	rs	18, 1999
52A	ad	18, 1999
52B	ad	18, 1999
52C	ad	18, 1999
56A	am	18, 1999
56B	ad	5, 1999
	am	18, 1999
56C	ad	5, 1999
	am	18, 1999
56D	ad	5, 1999
56E	ad	5, 1999
	am	18, 1999
56F-L	ad	18, 2004
57	am	18, 1999
58	rs	5, 1999; 18, 1999
	am	21, 1999
58A	ad	5, 1999
	rs	18, 1999
	am	21, 1999
58AB	ad	18, 1999
	am	21, 1999

ad = added or inserted    am = amended    rep = repealed    rs = repealed and substituted

<b>Provisions affected</b>	<b>How affected</b>	
58AC	ad	18, 1999
58AD	ad	18, 1999
58B	ad	5, 1999
	am	18, 1999
59	am	5, 1999
62A	ad	18, 1999
63	am	18, 1999
65	am	5, 1999; 18, 1999
67	am	5, 1999; 18, 1999
Schedule 1	am	5, 1999
Schedule 2	ad	16, 2008
	am	Ord No 2, 2015 (as am by Ord No 2, 2017)