



Customs (Prohibited Imports) Amendment (Firearms) Regulation 2013

Select Legislative Instrument No. 168, 2013

I, Quentin Bryce AC CVO, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Customs Act 1901*.

Dated 11 July 2013

Quentin Bryce
Governor-General

By Her Excellency's Command

Jason Dean Clare
Minister for Home Affairs

OPC50415 - E

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No. 168, 2013 *Customs (Prohibited Imports) Amendment (Firearms) Regulation 2013* *i*

OPC50415 - E

1 Name of regulation

This regulation is the *Customs (Prohibited Imports) Amendment (Firearms) Regulation 2013*.

2 Commencement

This regulation commences on the day after it is registered.

3 Authority

This regulation is made under the *Customs Act 1901*.

4 Schedule(s)

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Customs (Prohibited Imports) Regulations 1956

1 Subregulation 2(1)

Insert:

adjustable stock has the meaning given in subregulation 4F(4).

detachable stock has the meaning given in subregulation 4F(4).

electro-shock cartridge has the meaning given in subregulation 4F(4).

folding stock has the meaning given in subregulation 4F(4).

handgun has the meaning given in subregulation 4F(4).

2 After regulation 3C

Insert:

3D Criteria for the purposes of regulation 4F relating to transhipment of goods to another country

The criteria for goods mentioned in subregulation 4F(2B) are that:

- (a) the goods are imported into Australia only for the purposes of transhipment to another country; and
- (b) if the goods are goods to which regulation 13E of the *Customs (Prohibited Exports) Regulations 1958* applies—either:
 - (i) the Minister for Defence or an authorised person has granted a licence in writing to export the goods and the licence has been produced to a Collector; or
 - (ii) the Minister for Defence or an authorised person has granted a permission in writing to export the goods and the permission has been produced to a Collector; and
- (c) the goods remain under the effective control of a Collector while in Australia.

3 Subregulation 4F(2B)

Omit “3C(1).”, substitute “3C(1) or regulation 3D”.

4 After subregulation 4F(3)

Insert:

- (3A) The Minister must review items 2B, 4, 7, 9B, 10, 13, 15, 16, 16A and 17 of Part 2 of Schedule 6, 12 months after the day on which the *Customs (Prohibited Imports) Amendment (Firearms) Regulation 2013* commences.

5 Subregulation 4F(4)

Insert:

adjustable stock means a stock that may be adjusted by more than 120 mm.

detachable stock means a stock that:

- (a) is easily removable from a firearm without the use of a tool; and
- (b) does not make the firearm dangerous to operate or unreasonable to fire when removed.

electro-shock cartridge means ammunition, discharged from a firearm, that is designed or adapted to deliver an electric shock or charge on impact.

6 Subregulation 4F(4) (definitions of *firearm* and *firearm accessory*)

Repeal the definitions, substitute:

firearm:

- (a) means a device designed or adapted to discharge shot, bullets or other projectiles by means of an explosive charge or a compressed gas, whether that device is fitted with a magazine or other feeding device designed to be used with it or not; and
- (b) includes the following devices:
 - (i) a deactivated firearm;
 - (ii) a blank-fire firearm;

- (iii) any flare gun or signalling device, except a flare gun or signalling device mentioned in subparagraph (c)(iii);
and
- (c) does not include the following devices:
 - (i) a nailing or stapling gun;
 - (ii) an explosive-powered fixing tool;
 - (iii) a flare gun or other signalling device, designed for emergency or life-saving purposes;
 - (iv) a line-thrower;
 - (v) a hand-operated device that uses blank cartridges to propel objects for retrieval in connection with the training of dogs;
 - (vi) a tranquilliser gun;
 - (vii) a gun that operates a captive bolt for the slaughter of animals;
 - (viii) a device for the casting of weighted nets;
 - (ix) large calibre armament, weapons, launchers, throwers and projectors, designed for grenades, bombs, rockets or any other missile, ammunition or substance, to which item 1 of Part 2 of Schedule 13 applies;
 - (x) a sidewall core gun designed for geological purposes, mining purposes, or both;
 - (xi) an expandable casing perforation gun designed for geological purposes, mining purposes, or both.

firearm accessory means any of the following devices, whether or not complete, damaged, temporarily or permanently inoperable, or unfinished:

- (a) a silencer, sound moderator, sound suppressor or any other device designed to, or capable of, reducing the noise of discharge of the firearm;
- (b) a device designed to modify, or capable of converting, a firearm to give it any of the following capabilities:
 - (i) burst fire;
 - (ii) semi-automatic operation;
 - (iii) fully automatic operation;
- (c) a folding stock;
- (d) a detachable stock;

- (e) an adjustable stock;
- (f) a firearm part to which a firearm accessory is attached or is integral.

7 Subregulation 4F(4) (definition of *firearm part*)

Repeal the definition (not including the note), substitute:

firearm part, for a firearm, means any of the following items, whether or not complete, damaged, temporarily or permanently inoperable, or unfinished:

- (a) a gas piston, friction ring, action bar, breech bolt or breech block;
- (b) a firearm barrel;
- (c) a trigger mechanism;
- (d) a frame or receiver;
- (e) a slide;
- (f) an upper receiver;
- (g) a lower receiver;
- (h) a revolving cylinder;
- (i) a bolt carrier;
- (j) something, other than a complete firearm, that includes one or more of the items mentioned in paragraphs (a) to (i).

8 Subregulation 4F(4)

Insert:

folding stock means a stock that is designed to be, or capable of being, folded in any way to reduce the length of a firearm.

handgun means a firearm that must be:

- (a) reasonably capable of being raised and fired with one hand; and
- (b) reasonably capable of being carried or concealed on the body of a person; and
- (c) not more than 650 mm long.

9 Subregulation 4F(4) (at the end of the definition of *imitation*)

Add:

; and (d) that is not a blank-fire firearm.

10 Subregulation 4XA(1) (note at the end of the definition of *import sanctioned goods*)

Omit “export”, substitute “import”.

11 At the end of subitem 2.2 of Part 1 of Schedule 6

Add:

; or (i) for a category C or category D article—the article is to be imported in the following circumstances:

- (i) the article is imported for the testing of ammunition manufactured in a State or Territory;
- (ii) the importer holds a licence or authorisation to possess the article for manufacturing and testing ammunition in accordance with the law of the State or Territory in which the article is to be used in manufacturing ammunition;
- (iii) the importer is a manufacturer of small arms or ammunition;
- (iv) the article is being imported for use in the completion of a specific project or tender;
- (v) the article will be secured appropriately in Australia;
- (vi) the article will be destroyed or exported once it is no longer serviceable or required by the importer.

Note: For the definitions of *category C article*, *category D article*, *defence-sanctioned activity* and *law enforcement-sanctioned activity*, see Part 4 of Schedule 6.

12 Paragraph 3.2(a) of Part 1 of Schedule 6

Repeal the paragraph, substitute:

- (a) the importer of the article is a person whose occupation is partly or wholly the business of controlling vertebrate pest animals; and

13 At the end of item 5 of Part 1 of Schedule 6

Add:

Note: For the definitions of *certified sports shooter* and *restricted category C article*, see Part 4 of Schedule 6.

14 At the end of Item 5A of Part 1 of Schedule 6

Add:

Note: For the definitions of *certified international sports shooter*, and *restricted category C article*, see Part 4 of Schedule 6.

15 Item 6 of Part 1 of Schedule 6 (heading)

Repeal the heading, substitute:

6 Dealer test—Category C and Category D articles**16 Subitem 6.1 of Part 1 of Schedule 6**

After “category C”, insert “or category D”.

17 Paragraph 6.2(b) of Part 1 of Schedule 6

Before “if”, insert “for a category C article—”.

18 At the end of subitem 6.2 of Part 1 of Schedule 6

Add:

Note: For the definitions of *category C article*, *category D article* and *licensed firearm dealer*, see Part 4 of Schedule 6.

19 Subitem 7.1 of Part 1 of Schedule 6 (note)

omit “*Note*”, substitute “*Note 1:*”.

20 Item 7.1 of Part 1 of Schedule 6 (after the note)

Insert:

Note 2: For the definitions of *category H article*, and *relevant police representative*, see Part 4 of Schedule 6.

21 Part 2 of Schedule 6 (cell at table item 1, column headed “Column 2”)

Repeal the cell, substitute:

Any of the following firearms:

- (a) an air rifle;
- (b) a soft air rifle;
- (c) a rimfire rifle, other than a semi-automatic rimfire rifle;

- (d) a shotgun, other than a semi-automatic or repeating shotgun;
- other than a firearm:
- (e) that has a fully automatic firing capability; or
- (f) that is substantially the same in appearance as a fully automatic firearm; or
- (g) to which a firearm accessory is attached or is integral.

22 Part 2 of Schedule 6 (table item 1A)

Repeal the item, substitute:

1A	An imitation of a firearm.	<p>The importation must comply with the police certification test.</p> <p>Note: See column 3 of item 14 for the requirements for importation of a firearm accessory that is attached to or integral to an imitation of a firearm.</p>
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23 Part 2 of Schedule 6 (cell at table item 2, column headed “Column 2”)

Repeal the cell, substitute:

Any of the following firearms:

- (a) a muzzle-loading firearm, other than a muzzle loading handgun;
- (b) a single shot centre fire rifle;
- (c) a double barrel centre fire rifle;
- (d) a repeating action centre fire rifle;
- (e) a break action shotgun/rifle combination;
- (f) a repeating bolt action shot gun;

- (g) a lever action shot gun;
other than a firearm;
- (h) that has a fully automatic firing capability; or
- (i) that is substantially the same in appearance as a fully automatic firearm; or
- (j) to which a firearm accessory is attached or is integral.

24 Part 2 of Schedule 6 (table item 2A)

Repeal the item, substitute:

- | | | |
|----|---|---|
| 2B | Firearm part of, or for, a firearm to which item 1 or 2 applies, other than a firearm part that is capable of converting, either on its own or in conjunction with other parts, a firearm to a semi-automatic or fully automatic firearm. | The importation must comply with the police certification test. |
|----|---|---|

25 Part 2 of Schedule 6 (table item 3, column headed “Column 2”)

Omit “that is”.

26 Part 2 of Schedule 6 (table item 3, column headed “Column 2”, first occurrence of paragraphs (a) and (b))

Repeal the paragraphs, substitute:

- (a) that has a fully automatic firing capability; or
- (b) to which a firearm accessory is attached or is integral.

27 Part 2 of Schedule 6 (table item 3, column headed “Column 2”)

Omit “Self-loading” (first occurring), substitute “Semi-automatic”.

28 Part 2 of Schedule 6 (table item 3, column headed “Column 2”)

Omit “Self-loading” (last occurring), substitute “Semi-automatic”.

29 Part 2 of Schedule 6 (table item 3, column headed “Column 3”)

Omit “self-loading” (first occurring), substitute “semi-automatic”.

30 Part 2 of Schedule 6 (table item 3, column headed “Column 3”)

Omit “self-loading” (last occurring), substitute “semi-automatic”.

31 Part 2 of Schedule 6 (table item 3A)

Repeal the item.

32 Part 2 of Schedule 6 (cell at table item 4, column headed “Column 2”)

Repeal the cell, substitute:

Firearm part of, or for, a firearm
to which item 3 applies, other
than a firearm part that is:

- (a) a firearm part of, or for, a
firearm to which item 1, 2 or
9 applies; or
- (b) capable of converting, either
on its own or in conjunction
with other parts, a firearm to a
fully automatic firearm.

33 Part 2 of Schedule 6 (table item 4, column headed “Column 3”)

Omit “self-loading” (first occurring), substitute “semi-automatic”.

34 Part 2 of Schedule 6 (table item 4, column headed “Column 3”)

Omit “self-loading” (last occurring), substitute “semi-automatic”.

35 Part 2 of Schedule 6 (table items 5, 6, 6A and 7)

Repeal the items, substitute:

6	Any of the following firearms: (a) a semi-automatic centre fire rifle;	The importation must comply with at least one of the following tests: (a) the official purposes test;
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	<ul style="list-style-type: none"> (b) a semi-automatic rimfire rifle fitted with a firearm magazine of a capacity greater than 10 rounds; (c) a semi-automatic shotgun fitted with a firearm magazine of a capacity greater than 5 rounds; (d) a pump-action repeating shotgun fitted with a firearm magazine of a capacity greater than 5 rounds; <p>other than a firearm:</p> <ul style="list-style-type: none"> (e) that has a fully automatic firing capability; or (f) to which a firearm accessory is attached or is integral. 	<ul style="list-style-type: none"> (b) the specified purposes test; (c) the specified person test; (d) the returned goods test; (e) the dealer test. <p>If the firearm was manufactured on or after 1 January 1900, the firearm must bear a unique serial number.</p> <p>If item 1 of Part 3 of this Schedule applies to the firearm, the firearm must comply with the safety requirements set out in the item.</p>
7	<p>Firearm part of, or for, a firearm to which item 6 applies, other than a firearm part that is:</p> <ul style="list-style-type: none"> (a) a firearm part of, or for, a firearm to which item 1, 2, 3 or 9 applies; or (b) capable of converting, either on its own or in conjunction with other parts, a firearm to a fully automatic firearm. 	<p>The importation must comply with at least one of the following tests:</p> <ul style="list-style-type: none"> (a) the official purposes test; (b) the specified purposes test; (c) the specified person test; (d) the returned goods test; (e) the dealer test.

36 Part 2 of Schedule 6 (table item 8)

Repeal the item.

37 Part 2 of Schedule 6 (cell at table item 9, column headed “Column 2”)

Repeal the cell, substitute:

Any of the following firearms (including complete, but disassembled or unassembled, firearms):

- (a) a handgun;
- (b) a muzzle loading handgun;
- (c) a soft air handgun;

other than a firearm:

- (d) that has a fully automatic firing capability; or
- (e) that is substantially the same in appearance as a fully automatic firearm; or
- (f) to which a firearm accessory has been attached or is integral.

38 Part 2 of Schedule 6 (table item 9, column headed “Column 3”)

Omit “For a handgun:”, substitute “For a handgun or a muzzle-loading handgun:”.

39 Part 2 of Schedule 6 (table item 9, column headed “Column 3”, second occurrence of paragraph (b))

Omit “on of”, substitute “on or”.

40 Part 2 of Schedule 6 (table item 9A)

Repeal the item.

41 Part 2 of Schedule 6 (cell at table item 10, column headed “Column 2”)

Repeal the cell, substitute:

Firearm part of, or for, a firearm to which item 9 applies, other than:

- (a) a frame or receiver; or
- (b) a firearm part of, or for, a firearm to which item 1 or 2 applies; or
- (c) a firearm part that is capable of converting, either on its own or in conjunction with other parts, a firearm to a fully automatic firearm; or
- (d) a firearm part to which a firearm accessory is attached

or is integral.

42 Part 2 of Schedule 6 (table item 12A)

Repeal the item.

43 Part 2 of Schedule 6 (cell at table item 13, column headed “Column 2”)

Repeal the cell, substitute:

Firearm part of, or for, a firearm
to which item 12 applies,
other than a firearm part to
which item 2B, 4, 7 or 10
applies

44 Part 2 of Schedule 6 (table item 13A)

Repeal the item.

45 Part 2 of Schedule 6 (cell at table item 14, column headed “Column 2”)

Repeal the cell, substitute:

Firearm accessory.

46 Part 2 of Schedule 6 (cell at table item 14A, column headed “Column 2”)

Repeal the cell, substitute:

Paintball marker designed
exclusively to fire paintballs other
than a paintball marker:

- (a) that is substantially the same
in appearance as a fully
automatic firearm; or
- (b) to which a firearm accessory
is attached or is integral.

Firearm part of, or for, a paintball
marker mentioned in this item.

47 Part 2 of Schedule 6 (cell at table item 15, column headed “Column 2”)

Repeal the cell, substitute:

Detachable firearm magazine,
having a capacity of more than 5
rounds, for:

- (a) semi-automatic shotguns; or
- (b) pump-action shotguns; or
- (c) fully automatic shotguns;
whether or not attached to a
firearm.

48 Part 2 of Schedule 6 (cell at table item 16, column headed “Column 2”)

Repeal the cell, substitute:

Detachable firearm magazine,
having a capacity of more than 10
rounds, for:

- (a) semi-automatic rimfire rifles;
or
- (b) semi-automatic, pump-action
or lever action centre-fire
rifles; or
- (c) fully automatic firearms, other
than fully-automatic shotguns;
whether or not attached to a
firearm.

49 Part 2 of Schedule 6 (table item 18, column headed “Column 2”)

Omit “magazine or a tubular firearm magazine,”, substitute “magazine,
a tubular firearm magazine or a detachable box magazine,”.

50 Part 2 of Schedule 6 (table item 19, column headed “Column 2”, at the end of the item)

Add:

; and (c) an electro-shock cartridge.

51 Part 2 of Schedule 6 (at the end of the table)

Add:

- | | | |
|----|----------------------|---|
| 24 | Underwater powerhead | <p>The importation must comply with any of the following tests:</p> <ul style="list-style-type: none"> (a) the police certification test; (b) the official purposes test; (c) the specified purposes test; (d) the returned goods test. |
|----|----------------------|---|

52 At the end of subitem 1.2 of Part 3 of Schedule 6

Add:

- ; or (d) to a blank-fire firearm; or
- (e) to an underwater powerhead.

53 Subitem 1.3 of Part 3 of Schedule 6

Repeal the subitem, substitute:

- 1.3 The safety requirements do not apply to a firearm that had previously been exported from Australia if the importer of the firearm produces to a Collector, at the time of importation:
- (a) if regulation 13E of the *Customs (Prohibited Exports) Regulations 1958* applies to the export of the goods—written evidence that the Minister for Defence or a person authorised for regulation 13E of the *Customs (Prohibited Exports) Regulations 1958* has granted a licence or permission to export the goods; or
 - (b) if regulation 13E of the *Customs (Prohibited Exports) Regulations 1958* does not apply to the export of the goods—written evidence that the firearm had previously been exported from Australia by the importer.

54 Subitems 1.5 and 1.5A of Part 3 of Schedule 6

Repeal the subitems, substitute:

- 1.5 A firearm, other than a firearm to which the safety requirements do not apply because of subitem 1.1, 1.2, 1.3 or 1.4, must comply with the requirements of subitem 1.5B, tested in accordance with arrangements approved, in writing, by the Attorney-General.

- 1.5A A firearm mentioned in items 1, 2, 3, 6, 9, 12 or 14A of Part 2 of this Schedule must be visually inspected by the Collector at the time of importation to identify, and accurately record, the firearm's unique serial number.
- 1.5B A firearm is taken to comply with the safety requirements if the Collector, at the time of importation:
- (a) confirms that the firearm has been fitted with an effective safety switch or device (unless it is a hammer firearm fitted with a half cock mechanism or safety bent); and
 - (b) confirms that the firearm has been fitted with an effective trigger guard; and
 - (c) determines that further testing, as described in subitems 1.6 to item 1.11 (inclusive), is not required.
- 1.5C If the Collector determines that further testing of a firearm is required, the firearm is taken to comply with the requirements of subitems 1.6 to 1.11 (inclusive) if:
- (a) the firearm is tested in accordance with procedures approved by the Minister, and is found to comply with the requirements; or
 - (b) each of the following applies:
 - (i) the firearm is included in a consignment of firearms;
 - (ii) a sample of the items in the consignment is selected for testing in accordance with procedures approved by the Minister;
 - (iii) the result of the testing of the sample is that each firearm in the sample is found to comply with the requirements.

55 Subparagraph 1.6(b)(ii) of Part 3 of Schedule 6

Omit "blow; or", substitute "blow."

56 Paragraph 1.6(c) of Part 3 of Schedule 6

Repeal the paragraph.

57 Subitem 1.8 of Part 3 of Schedule 6

Repeal the subitem.

58 Paragraphs 3.1(a), 3.2(a), 3.3(a) and 3.4(a) of Part 3 of Schedule 6

Omit “as soon as practicable”, insert “within the period”.

59 At the end of item 3A of Part 3 of Schedule 6

Add:

Note: For the definition of *restricted category C article*, see Part 4 of Schedule 6.

60 Item 4 of Part 3 of Schedule 6 (heading)

Repeal the heading, substitute:

4 Dealer test—category C and D articles**61 Subitem 4.1 of Part 3 of Schedule 6**

After “category C”, insert “or category D”.

62 Paragraph 4.2(a)(ii) of Part 3 of Schedule 6

Before “a”, insert “if the article is a category C article—”.

63 At the end of subitem 4.2 of Part 3 of Schedule 6

Add:

; (c) the importer must comply with any condition or requirement specified, in relation to the article, in the Attorney-General’s permission.

64 Paragraph 4.3(a) of Part 3 of Schedule 6

Repeal the paragraph, substitute:

- (a) during the period, after importation, mentioned in the Attorney-General’s permission, the importer must either:
 - (i) use the article for the purpose of demonstrating its uses or for inspection, testing or evaluation purposes; or
 - (ii) deal with the article in accordance with paragraph 4.2(a);

65 Paragraph 4.3(c) of Part 3 of Schedule 6

Omit “the importer must, after the period mentioned in the Attorney-General’s permission.”, substitute “if, after the period mentioned in the Attorney-General’s permission, the importer has not dealt with the article in accordance with paragraph 4.3(a), the importer must:”.

66 At the end of subitem 4.3 of Part 3 of Schedule 6

Add:

; (d) the importer must comply with any condition or requirement specified, in relation to the article, in the Attorney-General’s permission.

67 At the end of Item 4 of Part 3 of Schedule 6

Add:

Note: For the definitions of *category C article*, *restricted category C article*, *category D article*, *certified buyer*, *certified primary producer* and *certified sports shooter*, see Part 4 of Schedule 6.

68 Subitem 5.1 of Part 3 of Schedule 6 (definition of *category H (dealer stock) article*)

Repeal the definition, substitute:

category H (dealer stock) article means a category H article that has been imported under the dealer test in item 7 of Part 1, and is held by the person who imported it.

69 Subparagraph 5.3(a)(i) of Part 3 of Schedule 6

Repeal the subparagraph, substitute:

(i) produces to a Collector a certificate stating that the importer is certified for stock purposes for category H (dealer stock) articles; and

70 Subsubparagraph 5.3(a)(ii)(B) of Part 3 of Schedule 6

Omit “effect; and”, substitute “effect; or”.

71 Subsubparagraph 5.3(a)(ii)(C) of Part 3 of Schedule 6

Repeal the subsubparagraph.

72 Paragraph 5.4(c) of Part 3 of Schedule 6

Repeal the paragraph, substitute:

- (c) to a person who is a licensed firearm dealer; or

73 Subitems 5.5 and 5.6 of Part 3 of Schedule 1

Repeal the subitems, substitute:

- 5.6 If the importer disposes of the article in a way authorised by subitem 5.4, the importer must give to a Collector, within 30 days after disposal, a written declaration by the importer:
- (a) stating that the importer has disposed of the article in a way authorised by subitem 5.4; and
 - (b) giving details of the disposal.

74 Subitem 5.7 of Part 3 of Schedule 6

Omit “for a specified number of category H (dealer stock) articles,”.

75 Subparagraph 5.7(b)(ii) of Part 3 of Schedule 6

Omit “that number of”.

76 Subitem 5.8 of Part 3 of Schedule 6

Omit “a specified number of”.

77 Subitem 5.9

Repeal the subitem, substitute:

- 5.9 An application by a person for a certificate under subitem 5.8 must be accompanied by a copy of the person’s licence or authorisation, in accordance with the law of the State or Territory where the person carries on the business of a firearm dealer, to possess category H (dealer stock) articles for stock purposes.

78 Paragraph 5.10(b) of Part 3 of Schedule 6

Omit “a number (which may or may not be the number specified in the application) of”.

79 Item 5.10 of Part 3 of Schedule 6

“Omit “that number of”.

80 Subitems 5.11, 5.12 and 5.13 of Part 3 of Schedule 6

Repeal the subitems, substitute:

- 5.11 A person who is certified to hold category H (dealer stock) articles for stock purposes must, as soon as practicable after any change in the person's circumstances in relation to the person's business as a firearm dealer, inform the CEO, or an authorised officer, in writing, of the change.

Example: Examples of a change in circumstances include the following:

- (a) the person ceases to be a licensed firearm dealer;
- (b) the place where the person is storing category H (dealer stock) articles no longer meets the requirements of the law of the State or Territory where the place is;
- (c) the person has been convicted of a firearms-related offence.

- 5.12 The CEO, or an authorised officer, may revoke a certificate issued to a person under subitem 5.8 if:

- (a) the person ceases to be a licensed firearm dealer; or
- (b) a place where the person stores category H (dealer stock) articles held for stock purposes does not meet the requirements of the law of the State or Territory where the place is; or
- (c) the person has made a false or misleading statement in:
 - (i) an application for a certificate made under subitem 5.8; or
 - (ii) a declaration made for the purposes of subparagraph 5.3(a)(ii) or subitem 5.6; or
- (d) the person has been convicted of a firearms-related offence committed within the period of 10 years immediately before the date of revocation; or
- (e) the person has failed to inform the CEO, or an authorised officer, of any change in the person's circumstances in relation to the person's business as a firearm dealer; or
- (f) the CEO is satisfied, having regard to any other relevant matter, that it is not appropriate for the person to hold any category H (dealer stock) articles for stock purposes.

Example: An example of a relevant matter for paragraph (f) is that the person has been convicted of an offence involving misrepresentation, or other fraudulent conduct, against a law of the Commonwealth, a State or a Territory, being an offence committed within the period of 10 years immediately before the date of revocation.

81 At the end of item 5 of Part 3 of Schedule 6

Add:

Note: For the definitions of *category H article* and *relevant police representative*, see Part 4 of Schedule 6.

82 Subparagraph 1.1(ab)(ii) of Part 4 of Schedule 6

Omit “; and”, substitute “; or”.

83 At the end of paragraph 1.1(ab) of Part 4 of Schedule 6

Add:

(iii) a New Zealand citizen who holds a special category visa under the *Migration Act 1958*; and

84 Subparagraph 1.1(d)(ii) of Part 4 of Schedule 6

Omit “self-loading”, substitute “semi-automatic”.

85 At the end of item 1 of Part 4 of Schedule 6

Add:

Note: For the definition of *relevant police representative*, see item 1B.

86 At the end of item 1A of Part 4 of Schedule 6

Add:

Note: For the definition of *relevant police representative*, see item 1B.

87 Paragraph 3.2(a) of Part 4 of Schedule 6

Omit “self-loading”, substitute “semi-automatic”.

88 After item 3 of Part 4 of Schedule 6

Insert:

3AA Meaning of category D article

3AA.1 For this Schedule, a category D article is:

- (a) a firearm mentioned in item 6 of Part 2 (*category D firearm*);
- or
- (b) a firearm part mentioned in item 7 of Part 2 of, or for, a category D firearm.

89 Subitems 4.1 and 4.2 of Part 4 of Schedule 6

After “category C”, insert “or category D”.

90 Paragraph 4.2(b) of Part 4 of Schedule 6

Repeal the paragraph, substitute:

- (b) the person’s occupation is partly or wholly the business of controlling vertebrate pest animals; and