

Firearms (Amendment) Act 2003

Act No. 107/2003

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Victoria

No. 107 of 2003

Firearms (Amendment) Act 2003[†]

[Assented to 9 December 2003]

The Parliament of Victoria enacts as follows:

1. Purpose

The purpose of this Act is to amend the **Firearms Act 1996** to make further provision in relation to the requirements for participation in handgun target shoots and approved handgun target shooting matches and to make other minor amendments to that Act.

2. Commencement

- (1) Sections 3, 4, 5, 6 and 7 come into operation on the day on which section 10 of the **Firearms (Trafficking and Handgun Control) Act 2003** comes into operation.
- (2) The remaining provisions of this Act come into operation on the day after the day on which it receives the Royal Assent.

3. Conditions applying to handgun licences

- (1) In section 16(3) of the **Firearms Act 1996**—
 - (a) for paragraph (b) **substitute**—

"(b) that holder does not, under the licence, possess, carry or use general category handguns of more than one specified class of handgun—";
 - (b) in paragraph (d), for "organised by approved handgun target shooting clubs" **substitute** "that comply with sub-section (8) or competitive approved handgun target shooting matches".
- (2) In section 16(5) of the **Firearms Act 1996**—
 - (a) for paragraph (b) **substitute**—

"(b) that holder does, under the licence, possess, carry or use general category handguns of more than one specified class of handgun—";
 - (b) in paragraph (c), for "class of handgun possessed by the holder" **substitute** "specified class of handgun in which the holder possesses, carries or uses handguns";

See:
 Act No.
 66/1996.
 Reprint No. 2
 as at
 8 April 1999
 and
 amending
 Act Nos
 30/1999,
 41/2000,
 44/2001,
 72/2001,
 9/2003 and
 28/2003.
 LawToday:
 www.dms.
 dpc.vic.
 gov.au

(c) in paragraph (d)(ii), for "organised by approved handgun target shooting clubs" **substitute** "that comply with sub-section (8) or competitive approved handgun target shooting matches".

(3) After section 16(7) of the **Firearms Act 1996** **insert**—

'(8) For the purposes of this section and section 19, a handgun target shoot must be—

- (a) a shoot conducted for the purposes of preparation for participation in an approved handgun target shooting match; and
 - (b) organised by an approved handgun target shooting club; and
 - (c) conducted on an approved shooting range.
- (9) In this section, "**specified class of handgun**" means any of the following—
- (a) any of the classes of general category handgun that are prescribed for the purposes of this section;
 - (b) the class of general category handgun that is comprised by those handguns that do not form part of any class of handgun prescribed under paragraph (a).'

4. Conditions applying to junior licences

(1) In section 19(2) of the **Firearms Act 1996**—

- (a) in paragraph (b)—
 - (i) for "if the holder does not carry or use more than one class of handguns" **substitute** "if the holder does not, under the licence, carry or use general

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- category handguns of more than one specified class of handgun";
- (ii) in sub-paragraph (ii), for "organised by approved handgun target shooting clubs" **substitute** "that comply with section 16(8) or competitive approved handgun target shooting matches";
- (b) in paragraph (c)—
- (i) for "if the holder does carry or use more than one class of handguns" **substitute** "if the holder does, under the licence, carry or use general category handguns of more than one specified class of handgun";
- (ii) in sub-paragraph (i), for "class of handgun carried or used by the holder" **substitute** "specified class of handgun in which the holder carries or uses handguns";
- (iii) in sub-paragraph (ii)(B), for "organised by approved handgun target shooting clubs" **substitute** "that comply with section 16(8) or competitive approved handgun target shooting matches".
- (2) After section 19(2) of the **Firearms Act 1996** **insert**—
- '(3) In this section, "**specified class of handgun**" has the same meaning as in section 16(9).'
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5. Licence cancellation powers

In section 49 of the **Firearms Act 1996**—

- (a) in sub-section (1)(d), for "that is not the condition set out in section 16(2)(b) or (c)" **substitute** "that is not a condition set out in section 16(3) and (4) or section 16(5) and (6)";
- (b) in sub-section (2), for "the condition set out in section 16(2)(b)" **substitute** "the condition set out in section 16(3) and (4)";
- (c) in sub-section (3)—
 - (i) for "the condition set out in section 16(2)(c)" **substitute** "the condition set out in section 16(5) and (6)";
 - (ii) in paragraph (a), for "sub-paragraph (ii) of that condition" **substitute** "section 16(5)(d)";
 - (iii) in paragraph (b), for "sub-paragraph (i) of that condition" **substitute** "section 16(5)(c)".

6. Surrender of handguns for failure to comply with certain licence conditions

In section 52A(1) of the **Firearms Act 1996**—

- (a) in paragraph (a), for "section 16(2)(c)" **substitute** "section 16(5) and (6)";
- (b) in paragraph (b), for "sub-paragraph (i) of that condition" **substitute** "sub-section (5)(c)".

7. Permits to store handguns

- (1) In section 121A(1)(b) of the **Firearms Act 1996**—
- (a) for "section 16(2)(b)" **substitute** "section 16(3) and (4)";
 - (b) for "section 16(2)(c)" **substitute** "section 16(5) and (6)".
- (2) In section 121A(2)(c) of the **Firearms Act 1996**—
- (a) for "section 16(2)(b)" **substitute** "section 16(3) and (4)";
 - (b) for "section 16(2)(c)" **substitute** "section 16(5) and (6)".

8. Powers of authorised officers under the Conservation, Forests and Lands Act 1987

In section 153A(1)(c) of the **Firearms Act 1996**, for "sub-section (1B)" **substitute** "sub-section (1A)".

ENDNOTES

† *Minister's second reading speech—*

Legislative Assembly: 6 November 2003

Legislative Council: 26 November 2003

The long title for the Bill for this Act was "to amend the **Firearms Act 1996** and for other purposes."