

Supplementary Order Paper

HOUSE OF REPRESENTATIVES

Friday, the 11th Day of October 1968

ARMS AMENDMENT BILL

Proposed Amendments

Hon. Mr ALLEN, in Committee, to move the following amendments:

To add the following clauses:

4. Firearms which are not registrable may be required to be surrendered to Police—The principal Act is hereby amended by inserting, after section 11, the following section:

“11A. (1) Where any person is lawfully in possession of a firearm that is not registrable under this Act, a commissioned officer of Police may, by notice in writing under his hand served on the person, require the person to surrender the firearm to a member of the Police, if that officer is of the opinion,—

“(a) That the person is not a fit and proper person to be in possession of the firearm; or

“(b) That the firearm is unsafe.

“(2) Where any person is served with a notice pursuant to subsection (1) of this section the owner or other person for the time being in possession of the firearm to which the notice relates shall, on demand, deliver the firearm to a member of the Police; and subsections (2) to (4) of section 11 of this Act shall apply accordingly with all necessary modifications.

“(3) Any person who is required to surrender a firearm pursuant to subsection (1) of this section may appeal, under section 14 of this Act, against the requirement, and that section shall apply accordingly with all necessary modifications.

“(4) Every person who commits a breach of subsection (2) of this section commits an offence, and shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding two hundred dollars, or to both.”

5. Regulations—Section 32 of the principal Act (as amended by section 3 (3) of the Arms Amendment Act 1966) is hereby further amended by adding the following subsection:

“(3) Notwithstanding the provisions of any regulations made pursuant to this Act, the Commissioner of Police may dispense with the payment of any fee payable under any such regulations.”

EXPLANATORY NOTE

Clause 4: Under sections 10 and 11 of the Arms Act 1958 a commissioned officer of Police may require a person in possession of a registered firearm to surrender that firearm to the Police if, in the opinion of that officer,—

(a) That person is not a fit and proper person to be in possession of the firearm; or

(b) The firearm is unsafe.

Under the proposed new section 11A similar powers are conferred in respect of firearms which are not required to be registered (e.g., shotguns).

Clause 5 amends section 32 of the Arms Act 1958 so that the Commissioner of Police will be empowered to dispense with the payment of any fee payable