

1996
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

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JUN 1996

(As presented)

(Attorney-General)

Weapons (Amendment) Bill (No. 2) 1996

A BILL

FOR

An Act to amend the *Weapons Act 1991*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

- 5 1. This Act may be cited as the *Weapons (Amendment) Act (No. 2) 1996*.

Commencement

2. This Act commences on the day on which it is notified in the *Gazette*.

Principal Act

- 10 3. In this Act, "Principal Act" means the *Weapons Act 1991*.¹

Job No. 1996/65

Interpretation

4. Section 4 of the Principal Act is amended by omitting from the definition of “self-loading” in subsection (1) “dangerous” (wherever occurring).

5 Approved reasons

5. Section 5 of the Principal Act is amended by omitting paragraph (1) (k).

Grant of licence

6. Section 24 of the Principal Act is amended—

- 10 (a) by adding at the end of subparagraph (1) (c) (ii) “and”;
- (b) by omitting from subparagraph (1) (d) (ii) “and” (last occurring); and
- (c) by omitting paragraph (1) (e).

Effect of licence

- 15 7. Section 28 of the Principal Act is amended by omitting from subparagraph (1) (a) (i) “a self-loading centre fire rifle of a military type or”.

Surrender etc. of weapons

- 20 8. Section 53 of the Principal Act is amended by inserting in paragraph (6) (a) “as in force immediately before the commencement of the *Weapons (Amendment) Act (No. 2) 1996*” after “92”.

Approval of application

9. Section 57 of the Principal Act is amended—

- (a) by adding at the end of paragraph (2) (b) “and”;
- (b) by omitting from paragraph (2) (c) “and”; and
- 25 (c) by omitting paragraph (2) (d).

Refusal of registration—duties of licensee

10. Section 58 of the Principal Act is amended by inserting in paragraph (2) (a) “as in force immediately before the commencement of the *Weapons (Amendment) Act (No. 2) 1996*” after “92”.

30 Sale etc. of weapons

11. Section 77 of the Principal Act is amended—

- (a) by omitting from paragraph (7) (a) “or” (last occurring);
- (b) by omitting paragraph (7) (b); and

(c) by omitting subsection (8).

Substitution

12. Section 92 of the Principal Act is repealed and the following section substituted:

5 **Compensation**

“92. The owner of a weapon is entitled to compensation from the Territory if—

- 10 (a) immediately before the commencement of the *Weapons (Amendment) Act (No. 2) 1996*, the weapon was lawfully in his or her possession;
- (b) the weapon is surrendered to the Registrar within 12 months after that commencement; and
- (c) at the time of surrender the sale of the weapon was prohibited.”.

Schedule 3

15 13. Schedule 3 to the Principal Act is amended by omitting item 7 and substituting the following items:

- 7 A weapon that is capable of propelling projectiles in rapid succession during 1 pressure of the trigger or that substantially replicates such a weapon in design, function or appearance.
- 7A A weapon that—
- (a) is a self-loading centre fire rifle of a military type or that substantially replicates such a rifle in design, function or appearance;
- (b) is a self-loading rifle; or
- (c) is a self-loading or pump action shotgun.

NOTE

Principal Act

1. Reprinted as at 28 February 1995. See also Acts No. 46, 1995; No. 10, 1996.