

Firearms (Use of Noise Suppression Devices) Declaration 2017 (No 2)

Disallowable instrument DI2017-61

made under the

Firearms Act 1996, s 31 (Firearms declarations by registrar)

1 Name of instrument

This instrument is the *Firearms (Use of Noise Suppression Devices) Declaration 2017 (No 2)**.

2 Commencement

This instrument commences on the day after its notification day.

3 Declaration

I declare that a firearm to which a noise suppression device is attached is not a prohibited firearm when it is being used by an authorised person for a prescribed purpose.

4 Definitions

In this declaration—

Authorised person means a person who is—

- (a) authorised by a licence, permit or otherwise under the *Firearms Act 1996* to possess or use a firearm; and
- (b) authorised by a permit under s 9 (1) (b) of the *Prohibited Weapons Act 1996* to possess a noise suppression device; and
- (c) either—
 - (i) a person appointed as a conservation officer under section 28 of the *Nature Conservation Act 2014* (a *conservation officer*); or
 - (ii) contracted or otherwise authorised by the ACT Government; or
 - (iii) authorised by a licence under the Firearms Act to carry on a business as a firearms dealer, including manufacturing, acquiring, disposing of, repairing, maintaining or testing firearms or firearm parts; or
 - (iv) employed by the Commonwealth Scientific and Industrial Research Organisation (the *CSIRO*).

*Name amended under Legislation Act, s 60

Noise suppression device means an article or device capable of muffling, reducing or stopping the noise created by firing the firearm, commonly known as a silencer.

Fauna includes—

- (a) a native animal; or
- (b) an animal declared to be a pest animal under section 16 of the *Pest Plants and Animals Act 2005*.

Prescribed purpose means—

- (a) killing fauna on public land (as reserved in the Territory Plan under section 315 of the *Planning and Development Act 2005*), at the direction or under the authority of a conservation officer; or
- (b) for a conservation officer, killing a native animal to alleviate its suffering; or
- (c) carrying out activities that are reasonable and necessary for a firearms dealer to manufacture, acquire, dispose of, repair, maintain or test firearms or firearm parts at the place the person is registered to carry on the business of a firearms dealer; or
- (d) for an employee of the CSIRO, undertaking an expedition to collect museum specimens.

5 Revocation

This instrument revokes the *Firearms (Use of Noise Suppression Devices) Declaration 2017 (No 1)* (DI2017-18).

Mark Walters
Registrar of Firearms

24 May 2017