

1995

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

WEAPONS ACT 1991

WEAPONS REGULATIONS (AMENDMENT) NO. 16 OF 1995

EXPLANATORY MEMORANDUM

Circulated by the authority of the Attorney-General

Gary Humphries MLA

EXPLANATORY MEMORANDUM

Section 102 of the *Weapons Act 1991* provides that the Executive may make Regulations for the purposes of the Act. Section 20(2) provides that the regulations may exempt specified persons or weapons from the requirements of the Act and may specify the circumstances in which that exemption applies.

This Weapons Regulations (Amendment) provides Australian Defence Industries Ltd (ADI), its officers and employees (in the course of performing their duties) with a general exemption from the Act, so that they may possess and transport weapons and military ordnance otherwise prohibited in the ACT.

The regulation arises from the corporatisation in 1989 of ADI, which formerly comprised part of the Department of Defence. ADI became a limited liability company and, as such, was not shielded by the Commonwealth Crown and was therefore subject to the regulatory legislation of the various State and Territories.

The Commonwealth *Defence Legislation Amendment Act 1989* therefore provided ADI with a general exemption from State and Territory regulatory legislation until 2 May 1995.

This regulation is intended to provide ADI with an immunity from Territory regulatory legislation on the expiration of the *Defence Legislation Amendment Act 1989*.

The regulation also provides for the security and storage of weapons.

The regulation has no financial implications, and will commence on gazettal.