



Australian Capital Territory

Firearms Amendment Regulation 2016 (No 1)

Subordinate Law SL2016-28

The Australian Capital Territory Executive makes the following regulation under the *Firearms Act 1996*.

Dated 6 September 2016.

YVETTE BERRY
Minister

SIMON CORBELL
Minister



Australian Capital Territory

Firearms Amendment Regulation 2016 (No 1)

Subordinate Law SL2016-28

made under the

[Firearms Act 1996](#)

1 Name of regulation

This regulation is the *Firearms Amendment Regulation 2016 (No 1)*.

2 Commencement

This regulation commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended

This regulation amends the *Firearms Regulation 2008*.

4 New division 11.3

insert

Division 11.3 Transportation

**52A Transportation of firearms, reasonable steps in storing—
Act, s 180 (3)**

- (1) A person who transports a firearm takes all reasonable steps to ensure that the firearm is stored safely while the firearm is being transported if the firearm is stored in accordance with this section.
- (2) A firearm must—
 - (a) not be loaded with, and must be kept separate from, any ammunition; and
 - (b) if the firearm is being transported using a vehicle other than a motorcycle—
 - (i) be rendered temporarily incapable of being fired; or

Examples

- 1 by removing the bolt or the firing mechanism
- 2 by using a restraining device such as a trigger lock.

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (ii) be stored in—
 - (A) a securely locked container that is securely attached to the vehicle; or
 - (B) a securely locked compartment within the vehicle; and
 - (c) if the firearm is being transported using a motorcycle—be stored in a lockable hard-case pannier, luggage box or other container appropriate for transporting the firearm; and

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- (d) not be able to be seen by a person who is not responsible for transporting the firearm.
- (3) However, subsection (2) does not apply if the firearm is being transported by—
- (a) a person whose occupation involves the business of a primary producer, and it is reasonably likely that during transportation of the firearm the person will need to use it for a purpose related to the business; or
 - (b) a person employed, or authorised, by a primary producer, and it is reasonably likely that during transportation of the firearm the person will need to use it for a purpose related to the primary producer's business; or
 - (c) a conservation officer, and it is reasonably likely that during transportation of the firearm the officer will need to use it for a purpose related to the officer's duties; or
 - (d) a person employed, or authorised, by a government agency to kill fauna, and it is reasonably likely that during transportation of the firearm the person will need to use it for a purpose related to the person's employment or authorisation.
- (4) In this section:

conservation officer—see the [Nature Conservation Act 2014](#), dictionary.

employ includes engaging a person on a contract of service.

fauna means—

- (a) a native animal; or
- (b) a pest animal; or
- (c) stock.

native animal—see the [Nature Conservation Act 2014](#), section 12.

pest animal—see the [Pest Plants and Animals Act 2005](#), dictionary.

stock—see the [Stock Act 2005](#), dictionary.

5 Section 54

substitute

54 Safety requirements for transporting prohibited firearms or pistols—Act, s 234

- (1) The prescribed safety requirements for transportation of a prohibited firearm or pistol (the *firearm*) are that—
- (a) the firearm must not be loaded with, and must be kept separate from, any ammunition; and
 - (b) if the firearm is being transported using a vehicle other than a motorcycle—the firearm—
 - (i) must be rendered temporarily incapable of being fired; or

Examples

- 1 by removing the bolt or the firing mechanism
- 2 by using a restraining device such as a trigger lock.

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (ii) must be stored in—
 - (A) a securely locked container that is securely attached to the vehicle; or
 - (B) a securely locked compartment within the vehicle; and
- (c) if the firearm is being transported using a motorcycle—the firearm must be stored in a lockable hard-case pannier, luggage box or other container appropriate for transporting the firearm; and
- (d) the firearm must not be able to be seen by a person who is not responsible for transporting the firearm; and

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- (e) the person transporting the firearm must take all reasonable precautions to ensure that the firearm is not lost or stolen.
- (2) However, subsection (1) does not apply if the firearm is being transported by—
- (a) a person whose occupation involves the business of a primary producer, and it is reasonably likely that during transportation of the firearm the person will need to use it for a purpose related to the business; or
- (b) a person employed, or authorised, by a primary producer, and it is reasonably likely that during transportation of the firearm the person will need to use it for a purpose related to the primary producer's business; or
- (c) a conservation officer, and it is reasonably likely that during transportation of the firearm the officer will need to use it for a purpose related to the officer's duties; or
- (d) a person employed, or authorised, by a government agency to kill fauna, and it is reasonably likely that during transportation of the firearm the person will need to use it for a purpose related to the person's employment or authorisation.

- (3) In this section:

conservation officer—see the [Nature Conservation Act 2014](#), dictionary.

employ includes engaging a person on a contract of service.

fauna—see section 52A (4).

6 Dictionary, note 3

insert

- government agency

Endnotes

1 Notification

Notified under the [Legislation Act](#) on 8 September 2016.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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