
POLICE

PO301*

Firearms Act 1973

Firearms Amendment Regulations (No. 3) 2011

Made by the Lieutenant-Governor and Administrator in Executive Council.

1. Citation

These regulations are the *Firearms Amendment Regulations (No. 3) 2011*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Firearms Regulations 1974*.

4. Regulation 3BA inserted

After regulation 3A insert:

3BA. Alternative application procedure for certain licences

- (1) In this regulation —
application means an application made under this regulation.
- (2) Subject to subregulations (3), (4) and (5), a person may apply under this regulation (instead of under regulation 3A) for a licence if —
 - (a) the licence sought is a Firearm Licence, a Firearm Collector's Licence or an Ammunition Collector's Licence; and
 - (b) the person previously held a licence (the *previous licence*) of that kind; and

- (c) the previous licence last expired under section 9A of the Act during the period beginning on 31 May 2008 and ending on 16 May 2011; and
 - (d) the person failed to renew the previous licence after it last expired; and
 - (e) the Commissioner did not, during the period referred to in paragraph (c), serve the person with a notice under section 19A(2) of the Act in respect of that failure to renew; and
 - (f) the previous licence has been expired for more than 12 months.
- (3) An application for a Firearm Licence or Firearm Collector's Licence cannot be made in respect of a firearm that, on the day on which the previous licence last expired, was not named and identified in the previous licence.
- (4) An application for an Ammunition Collector's Licence cannot be made in respect of a quantity of ammunition exceeding the quantity (if any) that, on the day on which the previous licence last expired, was specified in the previous licence.
- (5) An application cannot be made after 90 days after the day on which the *Firearms Amendment Regulations (No. 3) 2011* regulation 4 comes into operation.
- (6) Regulation 7(1) and (3) do not apply to an application.
- (7) An application must be sent by post, or delivered, to the Western Australia Police Licensing Enforcement Division, 297 Hay Street, East Perth, Western Australia 6004.
- (8) An application must —
- (a) be in the form of Form 2A; and
 - (b) be accompanied by —
 - (i) the fee in Schedule 1A item 1(a), 2(a) or 8(a) (as the case requires); and
 - (ii) if under regulation 7A(1b) the applicant is also to be taken to have applied for the issue of an Extract of Licence — the fee in Schedule 1A item 10.
- (9) The Commissioner may refund all or part of a fee paid under subregulation (8) if an application is unsuccessful.
- (10) To avoid doubt, regulation 3A does not apply to an application.

5. Schedule 1 amended

After Schedule 1 Form 1 insert:

2A. Application for licence under r. 3BA

| | | | | | | | | | | | | | | | | | | | | | |
|--|--|---|--|--|--|--|--|--|--|--|---|--|---|--|--|--|--|--|--|--|--|
| Western Australia <i>Firearms Act 1973</i> | Application for licence under <i>Firearms Regulations 1974 r. 3BA</i>¹ | | | | | | | | | | | | | | | | | | | | |
| Section 1. Type of application and details of previous licence | | | | | | | | | | | | | | | | | | | | | |
| <p>1. What type of licence are you applying for? (Tick only one)</p> <p><input type="checkbox"/> 1. Firearm Licence</p> <p><input type="checkbox"/> 2. Firearm Collector's Licence</p> <p><input type="checkbox"/> 3. Ammunition Collector's Licence</p> <p>2. Details of the Firearm Licence, Firearm Collector's Licence or Ammunition Collector's Licence you previously held under the <i>Firearms Act 1973</i>:</p> <p>Previous licence number Date of last expiry</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 50%; text-align: center;"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> </tr> </table> </td> <td style="border: 1px solid black; width: 50%; text-align: center;"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> </tr> </table> </td> </tr> </table> <p>If you are applying for a Firearm Licence or a Firearm Collector's Licence go to question 3.</p> <p>If you are applying for an Ammunition Collector's Licence go to question 4.</p> <p>3. Attachment 1 lists the details of each firearm named and identified in your previous Firearm Licence or Firearm Collector's Licence as at the date of its last expiry.²</p> <p>Are you applying for a licence for each firearm listed in Attachment 1?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No Please specify below (by reference to the Serial No.) each firearm listed in Attachment 1 for which you are not applying for a licence in this application.</p> | | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> </tr> </table> | | | | | | | | | | | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> </tr> </table> | | | | | | | | |
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| Section 2. Details of applicant | | | | | | | | | | | | | | | | | | | | | |
| <p>4. Your name</p> <p>Family name All given names</p> <p>5. Residential address</p> <p>Unit number/Lot number/ Floor level Street Number</p> <p>Street name Street type in full (e.g. Road, Avenue, Court)</p> | | | | | | | | | | | | | | | | | | | | | |

| | Suburb/Town/Locality | State | Postcode |
|-----|--|---|----------|
| 6. | Is the address above your permanent residential address? | | |
| | <input type="checkbox"/> Yes | | |
| | <input type="checkbox"/> No | | |
| 7. | Is your postal address the same as your residential address? | | |
| | <input type="checkbox"/> Yes Go to question 9. | | |
| | <input type="checkbox"/> No Complete your postal address below. | | |
| 8. | Postal address | | |
| | Unit number/Lot number/ Floor level/PO Box/RMB/ Locked Bag | Street Number | |
| | Street name | Street type in full (e.g. Road, Avenue, Court) | |
| | Suburb/Town/Locality | State | Postcode |
| 9. | Is the address above your permanent postal address? | | |
| | <input type="checkbox"/> Yes | | |
| | <input type="checkbox"/> No | | |
| 10. | Have you been known by any other name(s)? | | |
| | <input type="checkbox"/> Yes Please provide the other names that you have been known by below. | | |
| | <input type="checkbox"/> No Go to question 11. | | |
| | Family Name | All given names | |
| | Family Name | All given names | |
| | Family Name | All given names | |
| 11. | Date of birth | | |
| 12. | Contact details | | |
| | Telephone | | |
| | Home | Work | Mobile |
| | Email address | | |

Section 3. History of applicant

13. In the last 5 years have you been treated for any medical condition that could affect your fitness to hold a licence under the *Firearms Act 1973* or regularly used prescription medication or other drugs?

- Yes Please provide details below.
- No Go to question 14.

14. Do you have any physical or mental condition that could affect your fitness to hold a licence under the *Firearms Act 1973*?

- Yes Please provide details below.
- No Go to question 15.

You must complete Sections 4 and 5 if your application includes the licensing of a firearm.

Section 4. Firearms included in application

15. In respect of each firearm listed in Attachment 1 for which you are applying for a licence, is your reason for wanting to possess the firearm the same reason you had for possessing the firearm when you first applied for your previous licence?

- Yes Go to question 17.
- No Go to question 16.

16. In respect of each firearm listed in Attachment 1 for which you are applying for a licence, what is your current reason for wanting to possess the firearm?

- Club use You must provide a club support letter confirming that you are a member of an approved shooting club or association.
- Recreational/Hunt/Shoot You must provide evidence that you have written permission from a landowner to hunt or shoot on his or her land.
- Occupational use — Primary producer You must provide evidence confirming that you are the owner of land on which the firearm will be used.
- Occupational use — Nominee of primary producer You must provide evidence confirming that you have permission of the primary producer to use the firearm on land owned by the primary producer.
- Occupational use — Other You must provide an occupational support document.

Collector

In respect of each firearm listed in Attachment 1 for which you are applying for a licence, what is your current reason for wanting to possess the firearm?

- Significant commemorative value
- Significant historical value
- Significant heirloom value
- Significant thematic value

Please provide further details about your selected reason in support of your application below.

Is the firearm a handgun?

- Yes Was the handgun manufactured after 1946?
 - Yes Are you a student of arms?
 - Yes
 - No
- No Please provide further details about the firearm below.

Other use

Please provide details of the other use below.

17. In respect of each firearm listed in Attachment 1 for which you are applying for a licence, is your need to possess the firearm the same need you had in respect of the firearm when you first applied for your previous licence?
- Yes Go to question 19.
 - No Go to question 18.
18. In respect of each firearm listed in Attachment 1 for which you are applying for a licence, what is your current need for the firearm?
19. In respect of each firearm listed in Attachment 1 for which you are applying for a licence, are you applying to be the sole licensee for the firearm?
- Yes Go to question 20.
 - No In respect of each firearm for which you will not be the sole licensee, please select the option below that will describe you.

Primary owner

Please provide the name of the co-user and licence number of the co-user (if known).

Family name

Given names

Licence number

| | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|
| | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|

Co-user

Please provide the name of the primary owner and the licence number of the primary owner (if known).

Family name

Given names

Licence number

| | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|
| | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|

Section 5. Storage arrangements for firearms included in application

20. In respect of each firearm listed in Attachment 1 for which you are applying for a licence, are your storage arrangements for the firearm the same storage arrangements you had when you first applied for your previous licence?

Yes Go to section 6.

No Go to question 21.

21. In respect of each firearm listed in Attachment 1 for which you are applying for a licence, please provide details of your storage arrangements for the firearm:

The address where my firearms are stored is —

my residential address

as set out below

Unit number/Lot number/Floor level Street Number

Street name

Street type in full (e.g. Road, Avenue, Court)

Suburb/Town/Locality

State

Postcode

Section 6. Statutory declaration by applicant

I,

[*name, address and occupation of person making the declaration*]

sincerely declare that all of the information provided by me in this application and in every attachment to it is true and correct.

This declaration is true and I know that it is an offence to make a declaration knowing that it is false in a material particular.

This declaration is made under the *Oaths, Affidavits and Statutory Declarations Act 2005* at [*place*] on [*date*] by —

[*Signature of person making the declaration*]

in the presence of —

[*Signature of authorised witness*][*Name of authorised witness and qualification as such a witness*]**Attachment 1 — Firearms named and identified in previous Firearm Licence or Firearm Collector's Licence****(Attach to Form 2A for an application for Firearm Licence or Firearm Collector's licence)**

Firearm 1 details

| | |
|------------------------|-----------|
| Serial Nos. | Primary |
| | Secondary |
| Manufacturer and model | |
| Action type | |
| Calibre | |

Notes to Form 2A —

1. If there is not enough space for any details required, put the details on a separate piece of paper and attach it to this form.
2. You cannot make an application under r. 3BA in respect of a firearm that is not listed in Attachment 1.

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.
