

FIREARMS ACT 1973 — FIREARMS CATEGORISATION

**54. Hon RICK MAZZA to the Attorney General representing the Minister for Police:**

In October 2014, I questioned the firearms licensing branch's application of an obscure section of the Firearms Act 1973 under which a firearm could be re-categorised as being prohibited if the firearm is a self-loading centre-fire rifle designed or adapted for military purposes or a firearm that substantially duplicates such a firearm in design, function, or appearance.

- (1) Can the minister advise what criteria are used to determine a "military appearance"?
- (2) Can the minister advise who determines these characteristics?
- (3) Can the minister advise where this information can be accessed?
- (4) When the Australian Customs and Border Protection Service deems the importation of a firearm to have met the Australian standard for civilian ownership, why does Western Australia apply separate standards and interpret the national firearms agreement differently from other jurisdictions?

**Hon MICHAEL MISCHIN replied:**

On behalf of the Minister for Police, I thank the honourable member for some notice of the question.

- (1)–(3) The Minister for Police has requested the Commissioner of Police to develop a policy document outlining the features that should be taken into consideration by WA Police licensing enforcement division officers when assessing whether a firearm is a self-loading centre-fire rifle designed or adapted for military purposes or a firearm that substantially duplicates such a firearm in design, function or appearance. This policy document has not been finalised.
- (4) WA Police assesses firearms applications by consistently applying the requirements of the Firearms Act 1973 and the Firearms Regulations 1974. The current provisions in Western Australian legislation relate to the 1996 national firearms agreement. Specifically, recommendation 4, in part, requires jurisdictions to categorise those firearms that substantially duplicate self-loading centre-fire rifles designed or adapted for military purposes, in design, function or appearance, as a prohibited firearm.