

FIREARMS DEALERS, MANUFACTURERS AND REPAIRERS — LICENSING

785. Hon RICK MAZZA to the minister representing the Minister for Police:

I refer to correspondence from WA Police Licensing Services to licensed firearm dealers, manufacturers and repairers dated 6 July 2020 regarding a requirement for those licence holders to use updated electronic or hand-filled forms in order to meet their reporting obligations. The letter states that Licensing Services will maintain records of noncompliance of the dealer manufacturer. Repairer licence in question, and any other issues will be taken into consideration when the renewable licence is deliberated. Given that a number of these licence holders have reported significant difficulties and failures of this new requirement for online lodgement, can the minister advise —

- (1) Is the statement regarding noncompliance with this new requirement a threat to the renewing of licences?
- (2) What are the shortfalls of the previous lodgement process?
- (3) Under what legislation can licensing services enforce the online use of the new form 20 and form 21?
- (4) On what date are regulations gazetted for the new forms 20 and 21?
- (5) Under what legislation could a licence renewal be refused on the grounds of noncompliance?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following answer has been provided to me by the Minister for Police. Western Australia Police Force advises as follows.

- (1)–(5) The WA Firearms Traders Association advised the Western Australia Police Force its belief that completing the prescribed forms for every firearm and major firearm part was too cumbersome. Following discussions, WA Police Licensing Services (Firearms) created two Excel spreadsheets. Dealers, manufacturers and repairers are currently advised to use either prescribed forms 20 and 21, which require one firearm or major firearm part per form or the amended spreadsheet which aligns with prescribed forms 20 and 21. Which document is used is left to dealer, manufacturer and repairer discretion.

Section 31(2) of the Firearms Act 1973 and regulation 18 of the Firearms Regulations 1974 detail the record keeping requirements for dealers, manufacturers and repairers. Form 20 was gazetted on 16 November 2007 and amended on 5 April 2016. Form 21 was gazetted on 16 November 2007.

Regulation 23(1) of the Firearms Regulations 1974 creates an offence for contravening or failing to comply with any provision of the regulations. Section 11(3) of the Firearms Act 1973 states that the Commissioner of Police has sufficient grounds for forming the opinion that a person is not fit and proper to possess an approval, permit or licence under the act if he is satisfied that at any time within the period of five years before the person applied for the approval, permit or licence, the person was convicted of any offence against the act.