

## **Corrective Services Regulations Amendment (Firearms) Regulations 2022**

**SL 2022/191**

Made by the Governor in Executive Council.

### **Part 1 — Preliminary**

**1. Citation**

These regulations are the *Corrective Services Regulations Amendment (Firearms) Regulations 2022*.

**2. Commencement**

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 19 November 2022.

### **Part 2 — *Prisons Regulations 1982* amended**

**3. Regulations amended**

This Part amends the *Prisons Regulations 1982*.

**4. Regulation 24 amended**

- (1) Before regulation 24(1) insert:

- (1A) In this regulation —

***firearm item*** means any of the following as defined in the *Firearms Act 1973* section 4 —

- (a) a firearm;
- (b) a major firearm part;
- (c) ammunition.

(2) Delete regulation 24(1) and insert:

- (1) A prison officer may be required to undertake training in the use of a firearm item and may after that training, when on duty, be required to carry the firearm item.

(3) In regulation 24(2) delete “Firearms and ammunition shall” and insert:

A firearm item may

(4) Delete regulation 24(3) and insert:

(3) When on duty under arms, a prison officer must —

- (a) be responsible for any firearm item issued to the officer; and
- (b) ensure that any firearms are properly loaded and that the officer is carrying the appropriate ammunition for those firearms; and
- (c) handle the firearm item so that an accident cannot occur; and
- (d) report to the officer’s superior officer immediately if the officer has any reason to doubt the serviceability of the firearm item; and
- (e) remain alert and vigilant at the officer’s post; and
- (f) immediately the officer observes any irregularity in the routine of the prison which may jeopardise the security of the prison, report the irregularity to the superintendent or another prison officer (*receiving officer*), being their superior officer or the nearest prison officer with whom they can communicate, and the receiving officer must immediately inform the superintendent of the report; and
- (g) as soon as practicable, report to their superior officer any discharge of any firearms or loss or damage to the firearm item.

(5) In regulation 24(4):

- (a) delete “shall” and insert:

must

(b) in paragraph (a) delete “firearms;” and insert:

firearm item;

(c) in paragraph (b) delete “firearms” and insert:

firearm item

(d) in paragraph (c) delete “him.” and insert:

the officer.

Note: The heading to amended regulation 24 is to read:

**Responsibility when carrying firearm items**

**5. Regulation 25 amended**

(1) In regulation 25(1):

(a) delete “shall,” and insert:

must,

(b) in paragraph (b) delete “shall” and insert:

must

(2) In regulation 25(3):

(a) delete “his” and insert:

the

(b) delete “shall” and insert:

must

**Part 3 — *Sentence Administration Regulations 2003*  
amended**

**6. Regulations amended**

This Part amends the *Sentence Administration Regulations 2003*.

**7. Regulation 21 amended**

(1) Delete regulation 21(1) and insert:

(1) Subregulation (1A) applies if under section 91 of the Act a person seizes —

(a) any of the following as defined in the *Firearms Act 1973* section 4 —

- (i) a firearm;
- (ii) a major firearm part;
- (iii) a sound suppressor;
- (iv) a prohibited firearm accessory;
- (v) ammunition;

or

(b) a prohibited drug, prohibited plant or utensil (within the meaning of the *Misuse of Drugs Act 1981*).

(1A) The person must, as soon as practicable, deliver it into the custody of a member of the Police Force or an employee of the Police Service to be dealt with according to law.

(2) In regulation 21(2) delete “(1)” and insert:

(1A)

V. MOLAN, Clerk of the Executive Council.

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