

FIREARMS REGULATIONS 1974

**1131. Hon RICK MAZZA to the Attorney General representing the Acting Minister for Police:**

I refer to clause 26 and schedule 3, division 4 of the Firearms Regulations 1974 pertaining to the “appearance” of a firearm.

- (1) Is the acting minister aware that the WA Police firearm serviceability certificate has no requirement to provide a description of the subject firearm’s appearance?
- (2) Is the acting minister aware that the WA Police serviceability certificate merely attests to the serviceability, or not, of the subject firearm?
- (3) Can the acting minister please advise the rationale for a category B firearm being re-categorised to a category D on the basis of its appearance alone?
- (4) Can the acting minister provide the rationale for the confiscation by WA Police of category B firearms having the functionality of category B firearms and licensed in accordance with the application process solely on the basis of their appearance?
- (5) Can the acting minister advise how the appearance of a category B firearm resembling a category D firearm impacts on public safety?

**Hon MICHAEL MISCHIN replied:**

I thank the honourable member for some notice of this question.

- (1) Yes.
- (2) Yes. However, it also verifies the make, model, type, category, ammunition type, calibre and serial number of the firearm.
- (3) The only time a category B class firearm would be re-categorised as a category D1 class firearm is when it fits into the description of a D1 firearm under schedule 3, clause 7 of the Firearms Regulations 1974.
- (4) There are various category B2 class firearms that meet the description of a D1 class firearm by substantially duplicating and having the appearance of a self-loading, centre-fire rifle designed or adapted for military purposes. If identified, these firearms are seized as a firearm that is prohibited under regulation 26(1) and (3).
- (5) A category B2 class firearm that has the appearance of a category D1 class firearm could impact on public safety by causing fear and panic if it is believed the firearm is a military-style firearm, similar to those used in the Port Arthur massacre. The regulations referred to firearms having the “appearance” of a prohibited firearm as also being prohibited. This legislation was reaffirmed as part of the 1996 National Firearms Agreement resolution 4.