

FIREARMS BILL 2024

Consideration in Detail

Resumed from 19 March.

Clause 150: General matters for consideration —

Debate was adjourned after the clause had been partly considered.

Mr R.S. LOVE: We were discussing clause 150 last night when we were rudely interrupted. I thought we could have kept going for a few more hours, but the Leader of the House decided it was time to go home, so we did not get to the end of clause 150. Members were raising interest about some of the language used in this clause and the meaning of some of the terms. Clause 150(b) refers to “the person’s physical and mental health”.

I bring the minister back to discussion last night. When we were talking about these matters, he referred to the fact that in an earlier clause, he had discussed how he had provided information around the health assessments and the various health industry stakeholders that had formed a group. If we go back to that clause, my recollection is that the minister said that he had tabled some detailed information in the Legislative Council on the health assessment working group briefing note that is essentially a guide for the clinicians that they would have to complete for assessment. The minister noted that in his response to a question in the Legislative Council, he tabled that guide, which will be available to the police. He said he could not remember the name of the document but that he had tabled it in the other house.

We had discussions today with the other place, but we could find no tabled document that fits the description given by the minister. Hon Nick Goiran asked a question of the Minister for Police about the working group, and the five parts to that question were answered in four dot points—but nothing had been tabled. Where is this briefing note and that extra information that yesterday the minister claimed had been tabled? If it has not been tabled, as the minister said, which I take to be an honest mistake on the minister’s part, can he provide that information?

Mr P. PAPALIA: I probably used the wrong terminology. I answered a question from Hon Nick Goiran of which one element was: can the minister provide a document? As far as I know, that was provided to Hon Nick Goiran as part of the answer to his question. If that was not the case, that is what I was referring to, noting that a fair bit was going on yesterday. I do not get one question from the upper house, but numerous questions, and that had to fit between being present at our own question time and our processes in this house. The document that I was referring to was a briefing note from police, which is what Hon Nick Goiran requested. I thought that was attached to the response provided to Hon Nick Goiran.

Mr R.S. LOVE: Would you table that?

Mr P. PAPALIA: I can. It is basically a briefing note from police entitled, “Firearms Act Reform — Mandatory Health Assessment”. It is a briefing note on the work that has been done on the mandatory health assessment. The document to which I referred was an attachment titled, “WA Firearms Licence Health Assessment”. It is a self-assessment form for the health assessment element of the intended health check. I assumed that had been passed to Hon Nick Goiran. I can table it here.

Mr R.S. LOVE: Will the minister table that official document in this house now?

The ACTING SPEAKER: Minister, would you like to table that paper?

Mr P. PAPALIA: Yes.

[See paper [2709](#).]

Mr P. PAPALIA: This is a working document that was advice at that time about the process that is underway and continues with the health assessment working group. More work could be done on that form, and it may not be the final composition of the self-assessment form. One point I noted in the response to Hon Nick Goiran and in giving him that document—I thought I had given it to him—was that the contents of the self-assessment form remain with the clinician and are not provided to police. The intention is that the final assessment will be minimal assessment from the clinician, and the personal details, the likes of which maybe on that type of self-assessment form, will not be handed to police.

Mr R.S. LOVE: I can confirm from my inquiries with Hon Nick Goiran this morning that he has not received that information.

Mr P. Papalia: Sorry.

Mr R.S. LOVE: But I am sure he will have it very shortly now that it has been tabled.

Getting back to this clause, “General matters for consideration”, various members have raised a number of concerns around some of the language that is used in this clause and the broad nature of the topics that could be considered

without there being much indication as to the extent of the inquiries that might be made. If this bill had been allowed to go to the Standing Committee on Legislation, as we requested, before consideration in detail got underway, that sort of matter could have been explored to see whether it is a balanced type of clause or whether it goes too far and is too open to further interpretation by the Commissioner of Police. I understand the need for public safety, but there is also a need for the normal rules of a civil society and protection of some of those values as well. In trying to balance those issues, it is a matter that perhaps a committee could have assisted with. We have the view of the Western Australia Police Force, and I am not disregarding or disrespecting its view, but other groups may have different views on this. The Law Reform Commission of Western Australia, for instance, may have a different view from what the government has come up with at the moment.

On that note, because this bill has not been allowed to go to a committee for wider discussion, I am on the verge of opposing this matter, not because I think a person should not be a fit and proper person, but I am worried about the lack of clarity on how far reaching some of these matters will be. The members for Roe and Central Wheatbelt have expressed their concern on these issues. We are also concerned about the effect it might have on people seeking help and assistance when under stress. I remember the member for Central Wheatbelt talking about the environmental stress on a community at times when, for instance, there has been a major fire event, a wideranging drought or some other cataclysmic events. Some people in the sheep industry are feeling that at the moment with the impending ban on their industry. They are deeply concerned about the future of their family farming operations. These are really stressful times for people. We do not want to see that lead to unnecessary unexpected consequences for them.

I will conclude my discussion on that point. Had this gone to a committee for wider consideration, this might not have been the path that I chose. However, because minister has consistently said that he will not allow it to go to a committee to look at the underlying policy settings and some of the premises around which the legislation has been written, I will most likely oppose the clause itself.

Mr P. PAPALIA: I thank the member for repeating what he said last night. I will do the same. I clearly understand why he is doing this. Not many people were watching at 1.15 in the morning. He potentially wants to convey the message that he is going to do what he said he would within hours of the bill being read into Parliament, that is, he is going to oppose this element of the bill. I understand that. I get that he is retrospectively justifying why he is doing that.

That aside, as I pointed out in the early hours of the morning, the powers that we are including in the act are already afforded right now to the Commissioner of Police under the current act. We have expanded the description of the nature of the assessment by the Commissioner of Police. Right now, the Commissioner of Police can deem someone not a fit and proper person. I guarantee the member that there are some challenges to that determination before the State Administrative Tribunal right now because under the current act, the commissioner can do that. In this new bill, we have more expansively laid out the process and considerations by the commissioner. That is a good thing.

As the member said regarding unintended consequences, we went through and discussed the mental health check component earlier in the morning, or possibly late last night. That was arrived at and is still continuing to be deliberated by the health check working group. It consists of representatives from the Royal Australian College of General Practitioners, the Royal Australian and New Zealand College of Psychiatrists, the Mental Health Commission, the Department of Health, the office of the Minister for Health, the Australian Medical Association and the Western Australia Police Force. It is not Western Australian police doing that; specialist knowledgeable professionals are advising how this particular part of the analysis was arrived at. That work will continue. I tabled a briefing note with an attachment that is part of it. It is an indication of where it is at this moment as it works towards refining that process.

Regarding the other assessments of general matters for consideration, as I said, the commissioner already has these powers. It is not some new power. We are expanding and laying down the nature of those deliberations by the commissioner.

Ms L. METTAM: I will similarly flag that the shadow minister in the other place will put an amendment to this clause on the notice paper about the mental health assessments. We support the principle of what has been put forward and support the fact that this is a recommendation of the Law Reform Commission. Further to that, I have a question that I flagged earlier about the resourcing of the mental health checks in regional WA. This is not just an issue for those who are obligated to get a mental health check for this purpose; it is an issue across regional WA as well. Will there be any additional resourcing for this purpose? Last night, I flagged some other issues about ensuring that this approach does not dissuade lawful firearm owners from speaking up when they need mental health support, as well as the challenges that we have in regional WA given the lower numbers of medical or health workers. That is just a question on resourcing and it also underlines the importance of getting the communication right so that there are no unintended consequences.

Mr P. PAPALIA: Regarding that last element and the member's concerns around the provision of access to assessments, it is intended that the process will be deliverable via telehealth. It will be commensurate with other

like tests. On a number of occasions, we have given indications of the types of like tests, such as the dangerous goods licence and recreational pilots licence tests and their associated health checks. Those are the sorts of tests that might currently be required of people, as well as for a heavy rigid licence. We have to make the observation that the likelihood of people already having done one of these comparable tests is going to be higher in the regions. I assume that a lot of primary producers and people who work in the regions are already in possession of some of these licences that require those types of tests.

I will read out a bit of the information to give a more fulsome answer. Health assessments are not a novelty as part of applications to obtain a licence. Many other licences require health assessments that cover both physical and mental health such as commercial, private and recreational pilots' licences. Aviation licences require health assessments for both mental and physical health. The standards of the assessment vary according to the type of licence sought. Class 1 is the most stringent, lasts for just one year and only applies to commercial pilots, while class 2 is more relaxed and applies to recreational pilots. A commercial medical declaration is needed to report any medication or the presence of any permanent long-term mental or physical condition, including diabetes, epilepsy and drug or alcohol dependence, that may impair the applicant.

Dangerous goods licences are under the Department of Energy, Mines, Industry Regulation and Safety and are very specialised, such as the dangerous goods driver licence or explosive manufacture licence. For a dangerous goods driver licence, for instance, an applicant must pass a medical assessment against the standards in *Assessing fitness to drive: For commercial and private vehicle drivers 2022* not more than six months before the date the application is lodged. For on-demand transport driving services like Uber, mandatory health assessments for drivers are in accordance with regulation 82(a)(ii) of the Transport (Road Passenger Services) Regulations 2020.

A number of existing licensing regimes also use the language "medical standards", described as the commercial standards in assessing the fitness to drive for commercial and private vehicle drivers. The Dangerous Goods Safety (Explosives) Regulations 2007 require medical evidence and the Road Traffic (Vehicles) Regulations 2014 require similar information. The new firearms regulatory regime will therefore incorporate health assessments that align this purpose with other licensing processes already occurring in the state. As I said, it is quite possible that in the regions there might be a higher ratio of people who already have a compatible check. We have indicated that our intent is to enable those checks to be employed for the purposes amending the requirements of the firearm licence application or renewal if they are within the time frame arrived at. I will finish with the last observation I made last night in reference to people concerned about mental health and the implications of an obligation to have a test. We have had direct approaches from veterans who suffer from PTSD who are concerned about the potential impact on their ability to enjoy shooting as an activity they can do. Some of them might be physically injured as well, so they are incapacitated in more than one way. We are at pains to reassure them that that is not the intent. If someone is being treated and cared for in a well-managed regime, that is a good thing, and this might be the thing that gets them to seek assistance when they might not otherwise do that. That, too, is a good thing.

Mr P.J. RUNDLE: I have one further question. Last night the minister said that if someone was not happy with the commissioner's decision, they had the right to appeal to the State Administrative Tribunal. If, for argument's sake, their licence was taken off them under these guidelines, is there, say, a three or five-year period after which they could then reapply, or is it all over?

Mr P. PAPALIA: It is really difficult to answer that because every case will be about an individual. By definition, it is individuals being impacted by an assessment that will determine that they are not a fit and proper person. It will be variable depending upon the situation.

Division

Clause put and a division taken, the Acting Speaker (Ms A.E. Kent) casting her vote with the ayes, with the following result —

Ayes (47)

Mr S.N. Aubrey	Ms M.J. Hammat	Ms L. Mettam	Ms A. Sanderson
Mr G. Baker	Mr T.J. Healy	Mr D.R. Michael	Ms R.S. Stephens
Ms L.L. Baker	Mr M. Hughes	Mr K.J.J. Michel	Mrs J.M.C. Stojkovski
Ms H.M. Beazley	Mr W.J. Johnston	Mr S.A. Millman	Dr K. Stratton
Dr A.D. Buti	Mr H.T. Jones	Mr Y. Mubarakai	Mr C.J. Tallentire
Mr J.N. Carey	Mr D.J. Kelly	Ms L.A. Munday	Mr D.A. Templeman
Ms C.M. Collins	Ms E.J. Kelsbie	Mrs L.M. O'Malley	Mr P.C. Tinley
Mr R.H. Cook	Ms A.E. Kent	Mr P. Papalia	Ms C.M. Tonkin
Ms L. Dalton	Dr J. Krishnan	Mr S.J. Price	Mr R.R. Whitby
Ms D.G. D'Anna	Mr P. Lilburne	Mr D.T. Punch	Ms S.E. Winton
Ms K.E. Giddens	Mrs M.R. Marshall	Ms M.M. Quirk	Ms C.M. Rowe (<i>Teller</i>)
Ms E.L. Hamilton	Ms S.F. McGurk	Ms R. Saffioti	

Noes (4)

Ms M. Beard

Mr R.S. Love

Mr P.J. Rundle

Ms M.J. Davies (*Teller*)

Clause thus passed.

Clauses 151 and 152 put and passed.

Clause 153: Firearm authority health standards —

Ms L. METTAM: Under what circumstances could the commissioner form the opinion that someone is not a fit and proper person on the basis that the commissioner is satisfied that the person does not meet firearm authority health standards?

Mr P. PAPALIA: The Commissioner of Police will ultimately determine a person's fit and proper status based on numerous factors, including the health assessment, so it will not be the sole determining factor. He or she will take into account all the considerations around fit and proper status. The health assessment is part of that, but they all lead to a determination about a person's suitability to hold a firearm authority and to minimise the risk to public safety. Health practitioners cannot be held responsible for any determination made throughout the assessment. Their role is to provide evidence about a person's physical and mental health status, which will then be considered alongside other evidence. A health practitioner is not expected to provide any private health details that the applicant does not wish to share, simply an assessment of whether a person meets the health standards.

Clause put and passed.

Clause 154 put and passed.

Clause 155: Risk of firearm misuse —

Ms L. METTAM: I would like to make it clear that I support the purpose and intent of this clause, but I just want an understanding of how the commissioner will satisfy himself —

... that the person poses any of the following risks —

- (a) a risk of the person using a firearm for an unlawful purpose;
- (b) a risk of the person using a firearm to harm themselves;
- (c) a risk of the person causing injury or harm to another by the use or threatened use of a firearm;
- (d) a risk of the person failing to exercise responsible control over a firearm.

Mr P. PAPALIA: Some of the things that might be considered are a person's criminal history, their physical and mental health, their conduct and behaviour, close associates and any reasonable suspicion a person may misuse the firearm, amongst others. This is to demonstrate that the commissioner must take necessary steps to satisfy whether a person has the privilege of possessing or using a firearm. In the end, the commissioner looks at their past behaviour, their current behaviour and intelligence. It may be something that the commissioner has been advised of by family members even, which happens now. This will be more clearly stated here.

Clause put and passed.

Clauses 156 to 158 put and passed.

Clause 159: Citizenship and residency —

Mr P.J. RUNDLE: This clause states that an individual must not be granted a licence unless they are an Australian citizen or a permanent resident. However, clause 159(2) states —

The regulations may prescribe circumstances in which a licence or approval as an authorised person or responsible person can (despite subsection (1)) be granted to an individual who does not reside in the State.

I want to bring up an example. In my area there are a lot of South African farm workers or workers who come across, but it can take them years to get their permanent residency or citizenship. If someone has been working on a farm for several years but they still do not have their residency due to visa issues or problems with getting the approval or the like, could the farmer, their employer, as the responsible person give that approval to that worker?

Mr P. PAPALIA: I am not really sure what the member is getting at. The intent here is that if they do not live in Western Australia, they will not get access to a firearms licence. Is the member talking about a seasonal worker or someone of that nature?

Mr P.J. Rundle: They could be a permanent worker who is not an Australian citizen.

Mr P. PAPALIA: I will give the member this answer. Seasonal workers can be authorised for the use of a primary producer or business licence or any other licence allowing authorised persons firearms if they are Australian citizens or permanent residents. It is also intended for the regulations to prescribe people with certain visas, such as those held by long-term international seasonal workers, to become authorised for a licence. The details of which visas

will be eligible remains under consideration. I am assuming that the situation to which the member is referring would be covered.

Mr P.J. RUNDLE: Even though they may have worked on the farm for a couple of years, they could be regarded, potentially, as a long-term seasonal worker I suppose we could call it.

Mr P. PAPALIA: Yes.

Clause put and passed.

Clauses 160 to 165 put and passed.

Clause 166: Completion of firearm safety training course —

Mr P.J. RUNDLE: Who will be responsible for conducting the approved firearm safety courses, and how will these trainers or organisations be selected and approved by the relevant authorities?

Mr P. PAPALIA: This work is still being done because it will be encompassed in regulations. It is likely that approved persons will operate via a club or range licence or the firearms trainer business licence. Work is being done with TAFE and established clubs on what the framework will look like.

Mr P.J. RUNDLE: How frequently must an individual undergo firearms safety training or will the fact that they are already a licence holder do the job? Will this cover only new licence holders?

Mr P. PAPALIA: I confirm what we have said is that existing licence firearms owners will not be required to undertake this training. It will be for all future applications once the law becomes the law.

Clause put and passed.

Clause 167: Certificate as to serviceability and safety of firearm or major firearm part —

Ms M. BEARD: This may be exactly the same as the previous one, but I am wondering about the frequency of the serviceability certificate and whether that is for new licences. Will people have to provide a serviceability certificate, and will a fee be involved?

Mr P. PAPALIA: This is essentially the status quo. In the event that someone wants to licence a firearm or further firearms, they have to be certified. That is the case right now so that will be the case in the new legislation.

Ms M. BEARD: There will not be a need to get one every three years. Will they have to get regular serviceability certificates to ensure that they comply or is that a one-off?

Mr P. PAPALIA: In the event that the firearm is being licensed to a new individual and is changing hands, a certificate of serviceability will be needed. That would be the case if it is between two individuals or a dealer and an individual.

Mr P.J. RUNDLE: The minister was talking about a dealer. Are they going to have to provide a serviceability certificate with every firearm?

Mr P. PAPALIA: They do now when someone licences a firearm. If someone is licensing the firearm for the first time—someone else might have been in possession of it, but a new person is licensing it—they must have a certificate of serviceability, yes.

Clause put and passed.

Clauses 168 to 174 put and passed.

Clause 175: Register of firearm authorities —

Mr R.S. LOVE: This clause reads —

- (1) The Commissioner must compile and maintain a register ... in such form as the Commissioner determines, of the firearm authorities granted or renewed under this Act.
- (2) The Commissioner must enter in the Firearm Authority Register the particulars determined by the Commissioner for each firearm authority granted or renewed under this Act.

I take it that we will be moving to a digital system, so the register will be a digital register that will be somewhere on the internet. Will people other than the police have access to the information on the firearm authority register; and, if so, who will they be?

Mr P. PAPALIA: The police currently retain that information on a register. It is on the police system. This will be a new system and the information will reside within that system. An individual will be able to access their own information via the portal but no-one else's personal information.

Mr R.S. LOVE: If a person stores someone else's firearm in their gun storage cabinet in compliance with the regulations, will they have access to the register to determine whether the firearm has a valid licence? The gun owner might have left it there for a considerable time and the licence renewal might not have been paid. The dealer

or trader who was holding the firearm in storage would technically be in possession of an illegal firearm. Will they be able to access the system to see whether a gun that was kept in one of the cabinets for a year or two was still legal?

Mr P. PAPALIA: In the member's example, in the event that someone was holding someone else's firearm and the firearm became unlicensed, the police would be made aware of that because the new system will be much more responsive and useful for the police. Beyond that, in the event that the person storing the firearm sought that type of information, they could approach the police to access the register, but the person storing it will not get access to that information.

Mr R.S. LOVE: Is the minister saying that the police would know whether or not the firearm licence was still valid but would not necessarily know that it was in a storage facility, or would they know that because that would have to be reported?

Mr P. PAPALIA: Yes, that will be reported.

Mr R.S. LOVE: Will that be reported as soon as it goes in?

Mr P. Papalia: Yes.

Mr R.S. LOVE: Will there be a process whereby the person who stored the firearm would be alerted by the police?

Mr P. Papalia: As to what?

Mr R.S. LOVE: That they are storing another person's firearm that is no longer compliant with the law.

Mr P. PAPALIA: Essentially, if a licence expires, the police will come and get the firearm, wherever it is, even if the police have not been notified about what happened to that firearm. It would become an unlicensed firearm and they would know the last known location and they would recover it.

Mr R.S. LOVE: Thank you. A person living in a house in Brown Street, Cervantes, may have complied with the regulations and put a gun in storage. They may then take it to a storage facility in Midland before going overseas with the intention of coming back in three months but stay for a couple of years and forget about licensing the firearm. Therefore, the firearm licence would expire. They may be unaware of that while living in London or wherever they were. The firearm that was licensed would no longer be licensed. Technically, it would be an illegal firearm. Will there be a system to alert the police to where that firearm is?

Mr P. PAPALIA: Broadly, the system is that if a person wants to store a firearm in a place other than the place for which it is licensed, the police must be notified. That person would have done that, being the law-abiding individual they were prior to going overseas. The police would have been notified that the gun was in an authorised location. At the expiration of the licence, the police would become interested in the gun and they would go and recover it.

Mr R.S. LOVE: After the police took it from that facility, would a penalty apply to the person who had taken the firearm in the first place? The concern is that they would have stored what subsequently became an illegal firearm. I think we saw reports of a gun shop that was raided and a number of illegal guns were found. Those guns could have been stored for someone else and the licences could have expired. The problem would not have been caused deliberately. A dealer raised that issue with me because they thought that it needed to be addressed.

Mr P. PAPALIA: The person would have a reasonable excuse that they were in possession of a firearm that was lawful initially and stored in a lawful fashion but then the licence expired. That person would not be responsible for that and would not suffer any consequences. I do not know about the example the member referred to, but in this case the person would have a reasonable excuse.

Clause put and passed.

Clauses 176 to 185 put and passed.

Clause 186: Conditions of firearm authority —

Mr R.S. LOVE: Division 6 imposes a number of conditions on a firearm authority. They are —

(1) The conditions to which a firearm authority is subject may —

(a) impose limitations or restrictions on the authority conferred by the firearm authority ...

That must be when it is first granted, I would imagine —

(b) impose obligations and restrictions on the holder of the firearm authority ...

That obligation is on the individual, not on the firearm authority —

(c) impose obligations and restrictions on any person acting under the authority of the firearm authority ...

That is when someone has a licensed firearm and someone else's authority to possess it, use it, repair it or whatever else it might be —

- (d) impose obligations and restrictions on the holder of the firearm authority in connection with the carrying on of any business or other activity to which the firearm authority relates.

Given that a series of regulations will be built around the normal conduct of all the different licensed categories and authorities, why is this power needed to make extra conditions on a case-by-case basis?

Mr P. PAPALIA: I am informed that this replicates a current power under section 21 of the 1973 act. The reasoning is that individual circumstances may require this power so that a condition to issue a licence can be made. It replicates the current powers.

Clause put and passed.

Clauses 187 and 188 put and passed.

Clause 189: Amendment to add, replace or remove firearm —

Mr R.S. LOVE: I think at one point in the discussion on these matters—it might have been in private members' business when we discussed some aspects of the upcoming legislation—the minister mentioned that the legislation would provide for an assessment of gun storage et cetera and that a firearm could be replaced more easily than can be done at the moment. For instance, if someone has a worn-out .22, they can trade it in for a new one. Presumably, that would be safer than the gun they had before, which is becoming dangerous and unserviceable. Do police intend that they would simply be able to do that if they hold a firearm of a particular calibre for a particular purpose and simply want to replace it with a similar—not identical but similar—gun with the same calibre and perhaps same action? I want to know what sort of restrictions and limitations would be around that. For instance, would it be a problem if someone has a bolt-action .22 with a five-shot magazine and they want to get a lever-action gun with a six-shot magazine and the same basic capacity? Can the minister explain what the like-for-like considerations might be so we have an understanding of what will be entailed?

Mr P. PAPALIA: Essentially, it will be like for like, as the Leader of the Opposition referred to at the end. The nature of the action, the calibre and the magazine capacity should be similar or very much like for like, if not identical. That is what is intended to be captured by subclause (3) of the bill, which states —

A licence or permit must not be amended to add or replace a firearm unless the Commissioner is satisfied that the licence or permit could be granted to apply to the additional or replacement firearm.

Essentially, it is supposed to be like for like. If people change the action, the magazine and the calibre, they might be breaching this subclause and have to relicence a new firearm.

Mr R.S. LOVE: Will guidance be provided in regulations, or will there be some sort of a policy? How far can people go? They cannot always replace something that was made in 1943 with something today because the exact equivalent might not be available. How flexible will this be, given that technology changes and what was a standard type of firearm 40 years ago might not be exactly the same as one today?

Mr P. PAPALIA: Yes, I acknowledge that some types of firearms may become obsolete but, essentially, the considerations will be calibre, function, action and magazine capacity, and if they change dramatically, the licence will not be considered under this part of the act.

Mr R.S. LOVE: Presumably, when people approach the commissioner for permission of any sort, all the authorities will have fee structures. Will the fee structures reflect the complexity of the task? For instance, applying for a first licence, a new use, or a new hunting licence on a property will require a degree of investigation and cost for the police force to go through the matters, and I imagine that would be reflected in the fee structure. Simply replacing or removing a firearm from a licence would seem to be a fairly straightforward matter, so will that be reflected in the fee structure, and when will that be known?

Mr P. PAPALIA: I am informed that there will be a time-and-motion study once the legislation is established. Essentially the Leader of the Opposition is right: there is a cost-recovery system. We got to 100 per cent cost recovery in the last financial year, and that would be the normal practice. However, I would say that there is a caveat. We will go to a new system. Ideally, if it operates as intended, it will be a lot less intensive in human resources and manual activity than the current system.

Mr R.S. LOVE: I am curious about the explanation for subclause (4), which states —

A licence or permit must not be amended to remove a firearm ... to which the licence or permit applies ...

Why does that not apply to a club licence or range licence?

Mr P. PAPALIA: I am informed, and this sounds reasonable, that a club or range licence is for clubs or ranges and not necessarily for firearms attached to them. It may not include firearms. They have to be able to do it.

Mr R.S. LOVE: Sorry, minister. I misunderstood. I thought it meant the club, which is able to hold a licence for firearms in its capacity as a firearm licence holder. It is not that licence; it is the licence of the club itself.

Mr P. PAPALIA: Yes—to be a certified club.

Clause put and passed.

Clauses 190 to 192 put and passed.

Clause 193: Discretionary cancellation or refusal to renew —

Mr R.S. LOVE: This is the commissioner's discretionary cancellation or refusal to renewal power. I want to know what rights of review there will be for a person who has had a cancellation or refusal to renew under clause 193.

Mr P. PAPALIA: Any decision the commissioner makes is subject to review by the State Administrative Tribunal.

Mr R.S. LOVE: In that regard, is this no different from what we have at the moment or will it be different? Perhaps the minister could explain the differences.

Mr P. PAPALIA: The powers are essentially the same. It is a different clause, but that power is afforded to the commissioner right now and is subject to appeal to the SAT.

Clause put and passed.

Clauses 194 to 204 put and passed.

Clause 205: Issue of licence card —

Ms L. METTAM: I refer to the proposed licence card. Has consideration been given to including the relevant information on a driver's licence for those who have one, rather than issuing a licence card?

Mr P. PAPALIA: Consideration has been given. The move towards that process will potentially be impeded by other parts of government not having the capacity to have a shared system. The cards that will be produced will be the same card stock as licences, so one day it could potentially transition to that sort of process, but at the moment it would not be possible because of legacy licensing systems and a lack of integration.

Debate interrupted, pursuant to standing orders.

[Continued on page 1161.]