

FIREARMS BILL 2024

Consideration in Detail

Resumed from an earlier stage of the sitting.

Clause 205: Issue of licence card —

Debate was interrupted after the clause had been partly considered.

Ms L. METTAM: Further to that question regarding the licence card, I asked about the driver's licence and the minister said, "Not at this time". Has consideration been given to an electronic licence card for use on a smartphone, for example?

Mr P. PAPALIA: Yes, it will be both. People will have the option of a digital card and licence and the option of a hard copy version as an alternative. But our licence will be digital.

Mr R.S. LOVE: To be clear, what will be the difference between the classic card that is already issued to licensed gun owners and the new licence?

Mr P. PAPALIA: The difference between the current system and the anticipated one is that they currently carry around a card and an extract of their licence with a receipt confirming that it has been paid for—they carry both those things—and the new hard copy card will have a QR code that will allow access to the new system. It will be a contemporary system with new technology on it.

Mr R.S. LOVE: I think the card at the moment carries similar authority to that of a driver's licence in terms of the 100-point check.

Mr P. PAPALIA: Yes. I am informed that it will be commensurate, so the same level of points.

Ms M. BEARD: I want to clarify, if they have a digital licence, will that be through an app?

Mr P. PAPALIA: It will be embedded within the ServiceWA app. It is one of the functions of ServiceWA. As ServiceWA expands, there will be more and more licence types or authorities and things of that nature in the system, but it will be part of ServiceWA.

Ms M. BEARD: Will that app have live tracking capabilities?

Mr P. PAPALIA: No, it cannot; it is not a tracking application. It is digital licence. Other states have it. Many people in the firearms community here have been calling for one. It is not an extraordinary change. To get our system established and enabled is a big change.

Clause put and passed.

Clauses 206 to 208 put and passed.

Clause 209: Surrender of physical licence card —

Ms L. METTAM: Under this clause —

- (2) A person who ceases to be a licensed person because of the expiry of the term of or cancellation of a relevant licence must as soon as practicable surrender a physical licence card issued to the person for the relevant licence to a police officer.

Penalty for this subsection: a fine of \$2 000.

Can the minister advise how the penalty was devised? Is it based on the 1973 act or similar penalties under that act or is it relevant to just this act?

Mr P. PAPALIA: Member for Vasse, I am informed that the penalty in the current act is \$1 000 and it will be \$2 000 under the new legislation. That is part of the graduated penalty regime of the legislation, so it fits into an appropriate penalty in that new regime.

Clause put and passed.

Clause 210 put and passed.

Clause 211: Offence of unlawful possession —

Mr R.S. LOVE: I was going to defer to the member for Vasse, but it does not matter. We were talking about graduated penalties in the legislation. We have come to the offences area. There is a whole bunch of offences and I am not going to go through every one of them, but of interest is the scaling of the penalties. For instance, in this clause, the penalty for a person who unlawfully possesses a firearm or firearm part is potentially "imprisonment for 5 years and a fine of \$60 000". The summary conviction penalty is "imprisonment for 2 years and a fine of \$24 000". I am again wondering about the mathematics of all this and where the modelling came from. It seems to be that

we equilate about every month of a person's penalty with a fine of \$1 000. That seems to be the way it works—five years, 60 months, \$60 000; two years, 24 months, \$24 000. What caused this sort of correlation and why was this considered to be the appropriate penalty?

Mr P. PAPALIA: It aligns with provisions of the Sentencing Act, which is essentially \$1 000 for every month.

Mr R.S. LOVE: That is an excellent answer from the minister. It clears that one up. Can the minister explain whether these offences are roughly parallel to existing offences and whether there will be a significant increase in the fines or the imprisonment terms for like offences between the 1973 act and the 2024 act?

Mr P. PAPALIA: The Leader of the Opposition will be aware that a couple of years ago we did the last amendment that will ever happen with the Firearms Act and at that time we significantly increased penalties for a range of offences, including stealing a firearm, illegal discharge, 3D manufacturing and technology related penalties. The rest of the penalties are addressed in this legislation and the Leader of the Opposition will see that they are significant penalties, and with good reason. This addresses concerns that have been aired by a range of people that illegal firearms and unlicensed firearms represent a threat. We have increased the penalties to recognise that, and that was done across the board. It was done two years ago and it is continuing. We are focused on deterring illegal possession of firearms and unlicensed and inappropriate use of firearms, thereby addressing public safety concerns.

Mr R.S. LOVE: This provision relates to a discussion we had earlier about storage and someone who had possession of a firearm that became illegal, unbeknownst to them. In circumstances in which someone possesses a firearm that, for whatever reason, they have not renewed but it is an honest mistake, is there any defence for that or will they be summarily convicted and face a prison sentence of two years because they forgot to pay their rifle licence on time?

Mr P. PAPALIA: There is a range of defences in the Criminal Code, but police also exercise discretion with regard to whether they charge someone, subject to the circumstances and whether it is in the public interest to do so. As I indicated when we talked about that scenario earlier, the hypothetical person the Leader of the Opposition suggested might be in possession of a firearm but is not aware that it is unlawful will have a reasonable excuse. Essentially, what I said earlier was that if such an individual found themselves in that situation, they would be able to offer a reasonable excuse.

Clause put and passed.

Clause 212 put and passed.

Clause 213: Offence involving 3 or more firearms or major firearm parts —

Mr R.S. LOVE: I want to get an understanding of what this offence provision is really about. It refers to three or more firearms or major firearm parts. Clause 213 states —

A person commits a crime if the person unlawfully possesses 3 or more of any of the following things —

- (a) firearms;
- (b) major firearm parts for different firearms.

There is a very severe penalty of 10 years' imprisonment. Can the minister give me an understanding of how we differentiate between possession of multiple firearm parts for different firearms versus parts for the same firearm? Why is there a specific provision for parts for a different firearm which, put together, actually would not make a firearm, whereas someone could have parts that, put together, could make a firearm? That would seem to me to be more of a serious matter.

Mr P. PAPALIA: Essentially, this refers to the offence of trafficking firearms. If you have parts —

Mr R.S. Love interjected.

Mr P. PAPALIA: Trafficking. The member knows how, with drug-related offences, there is an amount above which someone is deemed to be trafficking as opposed to using. This is essentially that sort of provision. If there are firearm parts from different firearms, there is potentially the capacity to manufacture or put together three different firearms. That is the number at which this trafficking offence is set.

Mr R.S. LOVE: I think clause 248 deals with ammunition, so I will deal with that there, but going back to the three major firearm parts: are we saying that if someone has three parts for different firearms, the inference is that they have somewhere three firearms? Is that where we are coming from for that?

Mr P. PAPALIA: Yes, that is essentially it. If they have a part, they might have the other parts somewhere else and they can put a firearm together.

Mr R.S. LOVE: Why was the number three decided upon as being the trafficable number of guns, instead of two or 10?

Mr P. PAPALIA: That is the nationally agreed number.

Clause put and passed.

Clauses 214 to 216 put and passed.

Clause 217: Unlawful use of firearm —

Ms L. METTAM: Clauses 217 to 298 detail offences under this legislation for various reasons. I am hoping the minister can advise how these penalties were arrived at, whether they are based on the 1973 act or are similar to other laws, or if they are new penalties; and, if so, what the basis is for them. I am not sure if the minister can do that in consideration of one clause, but can he capture the penalties that are outlined?

Mr P. PAPALIA: These penalties are part of a graduated scheme. They escalate commensurate with the nature of the offence and the threat to public safety. The previous ones related to possession; these relate to use, so the penalty is stepped up.

Clause put and passed.

Clauses 218 to 247 put and passed.

Clause 248: Unauthorised possession of ammunition component for purpose of manufacturing ammunition —

Mr R.S. LOVE: I have to pick this up because, like the Minister for Police, my eyes are getting a bit tired. Clause 248 reads —

A person who possesses any component of ammunition for the purpose of manufacturing ammunition commits an offence unless the person is authorised by a licence to manufacture the ammunition.

The mere possession of a component of ammunition is not an infringement in this clause; therefore, how will this be judged? If a person goes to a range and picks up a handful of spent cartridge shells and takes them home, is that something that will lead to them potentially committing an offence—or do they need to show that they had a purpose in mind of manufacturing?

Mr P. PAPALIA: In answer to the last part, police will have to determine the purpose for which the person had those components.

Mr P.J. RUNDLE: I know a lot of clay target shooters reload their own ammunition and so forth. Do they need to have a licence for this?

Mr P. PAPALIA: Their licence will authorise them to do that. Providing they are acting in accordance with their licence authority, that is fine.

Clause put and passed.

Clauses 249 to 253 put and passed.

Clause 254: Unauthorised possession of unassembled components of ammunition —

Mr R.S. LOVE: They are obviously very unpopular clauses! Clause 254 states —

A person who possesses the unassembled components of ammunition commits an offence unless the person is authorised by a licence to manufacture the ammunition.

In a previous clause we discussed the provision about possessing ammunition. In that case, a person needed to have an intent to manufacture ammunition. On this matter, there does not seem to be any intent provision; therefore, the mere possession of unassembled components of ammunition appears to commit an offence. That raises the view that if I have a bunch of used shotgun shells or whatever in my possession, that could lead to an offence being committed. Can the minister give me clarity on that matter?

Mr P. PAPALIA: This refers to ammunition that is not for the firearm for which a person is licensed. The authority to manufacture ammunition—a licence that authorises the use of a firearm by the licensee or an authorised person for the licence—also authorises the licensee or authorised person to manufacture ammunition for use in that firearm. In this case the Leader of the Opposition is talking about ammunition that is not for his firearm. He is in possession of something that he will have to provide an explanation for—that is, why he is in possession of ammunition that is not for his licensed firearm.

Mr R.S. LOVE: For clarity, we have not got the ammunition; we have components of the ammunition. Basically, there are several components to ammunition. Some are common to various types of ammunition and some are specific to a calibre. How is that judged? If someone does not have a licence, they will not be able to have any explosive

propellant in their possession at all. Is that a fact? Would they be able to possess any component of ammunition at all? Is that the situation?

Mr P. PAPALIA: I am trying to get a grip on exactly where the Leader of the Opposition's concern resides. If he is talking about an unlicensed person being in possession of the components for the manufacture of ammunition—is that of concern? Yes; because, someone could potentially put together ammunition and employ that for use in an unlicensed firearm or provide it to a third party. That is of concern and a threat to public safety. It will not necessarily mean that someone will immediately be charged by police; they will investigate whether that person has justification for the possession of the items. If it can be demonstrated that the intended use is not unlawful, the police will have the capacity to exercise discretion.

Mr R.S. LOVE: I am trying to understand why there does not seem to be the same requirement to show that there is an intent to manufacture the ammunition, which is part of the earlier provision about possession of ammunition.

Mr P. PAPALIA: It is a slightly different focus. This is unauthorised possession of unassembled components of ammunition and a definition in clause 247, which we have gone past, states —

unassembled components of ammunition means sufficient of the components of ammunition to enable ammunition to be manufactured from those components.

In this case, it is talking about someone being in possession of a sufficient number of components of ammunition to enable ammunition to be manufactured from components in their possession. It is not a single element or a single component, but sufficient components to manufacture ammunition.

Mr R.S. LOVE: Does that mean the entirety of the components in an unassembled bundle?

Mr P. PAPALIA: Yes.

Clause put and passed.

Clause 255: Unauthorised possession of unassembled components of prohibited ammunition —

Mr R.S. LOVE: This is the same type of situation; however, it deals with prohibited ammunition. We have gone past the clause dealing with the simple possession of a component of ammunition, which was a component of a round of ammunition. Let us examine a situation that was put to me. A number of people possess ammunition components for memorabilia reasons; for example, a cannon of some sort or a very large ballistic shell that was found at the old bombing range et cetera is on a mantelpiece. I know they are not going to be unassembled components of prohibited ammunition because they need all of them. I missed the opportunity on an earlier clause, but I would like an answer for people who have asked me this question. Will it be illegal under the bill as it stands for people to possess a foot-long cannon shell—obviously empty—that they have displayed in their garage?

Mr P. PAPALIA: It would only be if there were sufficient of the unassembled components to manufacture ammunition. If all a person had was a cartridge from World War I or similar that had no other components that would enable them to compile a piece of ammunition, then, no.

Clause put and passed.

Clauses 256 to 268 put and passed.

Clause 269: Prohibited alteration to firearm or major firearm part —

Mr R.S. LOVE: I have déjà vu; we spoke about this a couple of years ago. Clause 269(1) states —

For the purposes of this Division, an alteration to a firearm or major firearm part is a *prohibited alteration* if it is an alteration made without lawful excuse that alters any of the following features or parts of the firearm ...

What lawful excuse may there be if one were to alter any of the factors listed in paragraphs (a) to (g)? In particular, it has been raised with me that the stock length is an issue for some people because the length of people's arms varies. According to this clause, if one were to shorten the stock by a smaller amount so that it was more comfortable to use, or lengthen it with an additional pad, for example, that could be seen to be infringing this provision. We do not want someone to saw off the whole stock, but is a minor alteration to the length to make it more comfortable to the user allowed?

Mr P. PAPALIA: The firearm must go to a licensed repairer or manufacturer to effect a change of that nature. The member is right: if people do it themselves, they will breach the provision.

Mr R.S. LOVE: When licensing the firearm initially, is there a full description of the firearm to which that firearm must forever comply—for instance, that it has a barrel of X length and a stock of X length? Is that recorded somewhere? At any point, is there an inspection to see whether there could have been an alteration?

Mr P. PAPALIA: I am informed that the identification of serviceability certificate that I referred to earlier that is necessary for the transfer of a firearm has that detail.

Mr R.S. LOVE: What about if someone changes the firearm by adding to it a shoulder strap? That might require the insertion of a pin in the stock or barrel to hang the strap. Would that be considered a prohibited alteration?

Mr P. PAPALIA: If someone could attach a strap without altering the physical structure of the firearm and did not drill into part of the firearm or attach a further component via a screw or something of that nature—if they just tied it on—that would be fine. Obviously, if they physically alter the firearm, that is something a licensed repairer or manufacturer should be called upon to do.

Mr R.S. LOVE: What about the alteration or replacement of a sight with a telescopic sight or anything of that nature—is that a prohibited alteration? If there is a telescope on the firearm when it is first licensed, does it have to remain with that particular scope forever?

Mr P. PAPALIA: No, member, one does not need to do the physical alteration I was referring to when replacing or attaching a scope; it either attaches or detaches.

Mr R.S. LOVE: Would the removal of an existing sight and the addition of a scope be allowed?

Mr P. PAPALIA: The Leader of the Opposition has just added a third word, sight, as opposed to putting on or removing a scope. If people want to physically alter a firearm through a mechanical process, they will be required to go to a licensed manufacturer or repairer for their own safety, apart from anything else, to ensure they comply with regulations.

Clause put and passed.

Clauses 270 to 277 put and passed.

Clause 278: Unauthorised manufacture —

Mr R.S. LOVE: Division 10, “Other activities”, includes a host of things around repairs and manufacture. Clause 278(1) states —

A person who manufactures a firearm or related thing commits a crime unless the person is authorised to do so by a licence.

In the context of this clause, what would constitute a “related thing”? I know that related thing is defined; however, can the minister give me more definition of what that related thing might be under this provision?

Mr P. PAPALIA: “Related thing” means the following things —

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

Mr R.S. LOVE: What is a prohibited accessory defined as? The penalty for the manufacture of a firearm or related thing is a term of imprisonment of 14 years. Would the length of the imprisonment term that someone would face have any correlation to the nature of the related thing? It could be more closely aligned to producing a firearm than not? Can the minister give me an idea of what the expectation is in terms of the severity of some of the things he just read out if they are found to be in the manufacture of the firearm?

Mr P. PAPALIA: This is a response to the oft-cited need to focus on illegal firearms, the illegal use of firearms and those people who are outside the law doing harmful things and threatening the safety of the public. The court will be afforded that penalty and make a determination for each individual case.

Clause put and passed.

Clauses 279 to 281 put and passed.

Clause 282: Terms used —

Mr R.S. LOVE: This clause relates to firearm technology and its dissemination. Under the term “disseminate” it states, in part —

- (b) make firearm technology available for access by electronic or other means by another person; or
- (c) enter into an arrangement with another person to do anything referred to in paragraph (a) or (b);

This is about sending firearm technology. Will this apply only in the state of Western Australia? If somebody sends technology to someone in Singapore or South Australia, will that be considered an offence, or will it only be an offence if Bill from Balga sends it to Betty in Beacon?

Mr P. PAPALIA: If an element of the offence occurs in Western Australia, a person will be prosecuted in Western Australia.

Mr R.S. LOVE: According to paragraph (c), it will be an offence if I —

enter into an arrangement with another person to do anything referred to in paragraph (a) or (b);

Does the minister mean that it will be an offence if I enter into an arrangement to receive that information?

Mr P. Papalia: Yes.

Mr R.S. LOVE: If I receive the information or even if I have entered into the arrangement, I am said to be disseminating rather than receiving the information, but I am a part of that network or arrangement. Is that right?

Mr P. PAPALIA: It will depend on whether a person is authorised to do that. If a person is not authorised to do it and they enter into an arrangement, it will be an offence.

Mr R.S. LOVE: I assume that this offence will prevent someone from producing a handmade firearm in the backyard or a workshop, or from using a programmed firearm manufacturing device to make a firearm. What is of concern is that some people will have an interest in the technology but do not intend to use it to make a firearm. Will it still be acceptable in some circumstances to transmit that information? For example, a student might be studying ballistics for an unrelated reason, but it will include the dissemination of some of that firearm technology referred to in this provision.

Mr P. PAPALIA: I am informed that a person will be able to seek a licence or permit to authorise them to conduct that activity if it is a lawful activity. I am trying to find the provision under which authority can be sought, but I am told that that is the case. Clearly, the intent of this part of the bill is to focus on people who are acting unlawfully and the types of people who have, as I said, an oft-cited need to focus on unlicensed firearms and illegal and criminal behaviour. This provision and this act focuses on that by making more robust provisions around the licensing, possession and use of firearms.

Clause 100, “Approval for creation of firearm technology for repairer or manufacturer”, states —

- (1) The Commissioner may approve of a person nominated by the licensee under a Firearm Repair Licence or Firearm Manufacture Licence providing firearm technology to the licensee.
- (2) The approval results in the licence concerned authorising the approved person —
 - (a) to create and develop firearm technology on behalf of the licensee; and
 - (b) to be in possession of firearm technology so created or developed; and
 - (c) to disseminate to the licensee firearm technology so created or developed.

Mr R.S. LOVE: Thank you for that explanation. I now refer to obsolete technology. If a person is sent drawings of a cannon from a Spanish galleon that dates back to the 1500s, will that be considered to be firearm technology under this bill or will it be considered to be historical memorabilia?

Mr P. PAPALIA: It will depend upon whether that technology is sufficient for a person to manufacture and operate the cannon as a firearm. Essentially, it is firearm technology that a person could potentially use to create a firearm. However, as we have indicated, that person will have an opportunity to seek a licence or a permit to authorise them to be in possession of that material or to carry out a task if it is lawful.

Mr R.S. LOVE: Will the clause 18 provisions around antique firearms not necessarily exempt that technology from the clause 282 provisions?

Mr P. PAPALIA: It will depend on the cannon in question, because cannons are not necessarily antiques. I am informed that the police licence cannons to this day for yacht clubs, for instance.

Mr R.S. LOVE: I refer to the definition of the terms used, which states, in part —

programmed firearm manufacturing device means any machine, equipment or other device that is programmed, configured or otherwise enabled to manufacture or repair, or to carry out a step in the manufacture or repair of, a firearm or related thing or a component of a firearm or related thing.

For instance, I am thinking of the production of a wooden stock for a rifle. Plenty of cabinet-making machinery and other things could probably easily be programmed to produce that stock; one could just put in a plan and off it goes. I know we spoke about 3D being a specific thing, but there is also the situation of someone who has metalworking equipment—a lathe and other equipment—that could easily be used to make firearm components.

How do we determine that something can be used in that way as opposed to something that is enabled? The device has to be enabled to manufacture or repair; it does not have to do it. I suggest that a lot of equipment is able to be involved in manufacture and repair, but there is probably no intention to ever do so. We cannot really rule out people possessing half the manufacturing equipment in the state.

Mr P. PAPALIA: Leader of the Opposition, it is about being enabled to manufacture. Clearly, if the device is programmed to manufacture a firearm component, it will be in breach of this part of the bill. It is not whether it is

capable; it is whether it is attached to a device or part of the device is programmed and is clearly capable of producing that component.

Clause put and passed.

Clause 283: Unauthorised possession of firearm technology —

Mr R.S. LOVE: Clause 283, “Unauthorised possession of firearm technology”, states —

A person who possesses firearm technology commits a crime unless the person —

- (a) is authorised to do so by a licence or permit; or
- (b) does so for a lawful purpose.

We have just had a discussion about the dissemination of technology and who may or may not be able to get it, and people may need a permit to disseminate it. If people hold that technology for a lawful purpose and they do not commit a crime, does this clause relate to only those people who are registered as manufacturers or repairers of firearms or are there other lawful purposes for which people could hold that information?

Mr P. PAPALIA: Essentially, this clause refers to the unauthorised possession of firearm technology. It would not apply to a manufacturer or repairer who is licensed and authorised to conduct that task and possess that technology. It obviously does not mean that someone who is in possession of a normal operator’s manual on how to operate that firearm would be in breach of the law. That is not what this clause relates to. It relates to the unauthorised possession of firearm technology. Someone would commit a crime if they breach that offence.

Mr R.S. LOVE: I am not sure I got to the basis of the other lawful purposes. People have a manual for their —

Mr P. Papalia: That is not what I said. I very clearly said that that is not related to this.

Mr R.S. LOVE: Yes, that is lawful but it does not come under the definition of “firearm technology”. “Firearm technology” means that someone can actually use it to develop a firearm.

Mr P. PAPALIA: I will give examples of what it is referring to. Someone might be conducting research, which they are authorised to conduct. Therefore, they will be in lawful possession of that technology, but if they are not authorised, it is unlawful.

Mr R.S. LOVE: I am not sure that gets to the nub of what I am asking. The minister is saying that someone has to be authorised by a licence or a permit, but the bill states “or does so for a lawful purpose”. What is the lawful purpose?

Mr P. PAPALIA: I gave the member the example of conducting research. I am also informed that the DPP or prosecutors might be in possession of that technology for an authorised reason, being conducting a prosecution or something of that nature.

Clause put and passed.

Clauses 284 to 299 put and passed.

Clause 300: Approval of storage places by Commissioner —

Mr R.S. LOVE: This clause relates to security and security arrangements. We have been told many times that storage is a problem because some of the containers are not up to the mark, but I understand that all the ones that are sold in Western Australia are police approved. Is the minister aware that that is the case? If we go to Bunnings and buy a Chinese-made gun safe, will it comply with the current storage requirements of the WA Police Force?

Mr P. PAPALIA: Obviously, if someone is using a safe that does not comply with the current regulations, they are committing an offence. Depending upon which cabinet the member is referring to, it either complies or it does not. At the moment, the storage obligations are not that onerous. A range of people have recommended that they be made more demanding in the interests of public safety.

Mr R.S. LOVE: I refer to this new regime for security and storage. Clause 300, “Approval of storage places by Commissioner”, states —

- (1) The Commissioner may approve a place as an approved storage place for a firearm or related thing.
- (2) The Commissioner may approve a place as an approved storage place under subsection (1) without the need for an application for that approval.

How could something be approved without there being an application unless this clause simply refers to transferring existing approvals over to the new act? Is that what it refers to?

Mr P. PAPALIA: Essentially, yes. We will ensure that current powers available to the commissioner are in this new act.

Mr R.S. LOVE: Could I get an idea of the approval process that will be undertaken under this new regime compared with what happens at the moment? I understand that at the moment someone takes a photograph of the storage cabinet and the bolts that retain it. They then take a photograph of it in situ from further away to show where it is placed in the house, cupboard, shed or wherever it might be. Can the minister explain what the process will be under this regime for the approval of that storage thing? Will there be an inspection on site by an officer? What will happen?

Mr P. PAPALIA: This is not the place to talk about that subject. That would be in debate on clause 304. This clause is about a location, and the Leader of the Opposition is talking about the type of cabinet.

Mr R.S. LOVE: That is what I am talking about.

Mr P. PAPALIA: The Leader of the Opposition is talking about cabinet and storage requirements as opposed to a location. I think where the Leader of the Opposition's interest lies and the sort of question he is asking is more appropriately dealt with in debate on clause 304.

Mr R.S. LOVE: I thank the minister for the instruction, but if he goes through what I said, he will see that I said a photograph is taken of the cabinet, but then a photograph of its position in the building or the premises is taken, so we are talking about a location. How will the location be assessed? For instance, will a farm shed, a garage, a home office or a factory warehouse be an acceptable location? I am trying to get an understanding of where the components of the storage will be.

Mr P. PAPALIA: Under this clause, evidence of suitable compliance of the location will be required. That may result in a request for information about geolocation and potentially photographs or other information as required to give the police comfort that that place is suitable. The storage is dealt with later in the legislation.

Mr R.S. LOVE: I am trying to get to the bottom of the issue of location. What will the parameters be for the decision of whether a location is suitable? I gave the minister the idea that he could perhaps talk about farm sheds, but I will ask directly. Would a farm shed, for instance, ever be acceptable as a storage location? Would an unoccupied building be acceptable as a storage location? Would a suburban home be acceptable as a storage location? Would a garage be acceptable as a storage location? Would a back verandah be acceptable? Can the minister give me some idea about what is considered an acceptable location for storage?

Mr P. PAPALIA: All that is done is that a range of further questions is elicited. Whether the location is a shed, house or other type of building is the manner of questions generated. There will be questions about the nature of the construction of the walls. What is the floor? Is it a concrete floor? Questions will deal with access and proximity to other buildings. There could possibly be a never-ending list of different types of questions generated. Without knowing the specific location being referred to, it is difficult to speculate about exactly the type of questions that will be generated.

The process for storage regulations will be worked on as part of the collaboration and consultation with different peak bodies and individuals. That will happen in the same way I referred to last night about how regulations governing minimum practice requirements should be developed in conjunction with a pistol association for the pistol community, a rifle association for the rifle community or a clay target shooters association for clay target club members. Those sorts of details can be worked on and developed in conjunction with police as we develop the regulations.

Mr R.S. LOVE: Will the government talk to groups that represent licence holders such as the Sporting Shooters' Association, the Western Australian Firearms Community Alliance et cetera? Will they be included, or will it only be with groups that minister just mentioned? This is beyond simple discussion about the type of storage unit. I am trying to understand what location will be considered suitable. It might perhaps be of value if the minister were to explain whether suitable locations will be radically different from the current situation and what changes there will be to the current location requirements.

Mr P. PAPALIA: Yes, it will be different than the current regime because it has been deemed unsuitable by all the people to whom the member referred. Just for information, the pistol, clay target shooters and rifle associations are part of WAFCA, so WAFCA is more than the Sporting Shooters' Association. The WA Firearms Traders Association is also part of that organisation. Those organisations meet with police. As I have indicated throughout our discussion, they have been meeting almost weekly for probably the better half of the last 18 months. They brought to police an example of a safe type that they advocate should be employed as a standard. There will be different requirements, depending upon whether a building is occupied, unoccupied, and it will be subject to security systems in place. Those things will impact on the suitability of a location and the nature of the security that might be required. The number and type of firearms in a location will also influence the requirements.

Regarding the nature of the regulation for storage, the South Australian law was the most recently rewritten, and it established a regime that many in the firearms community are familiar with. That will give a steer on the type of regulations we will end up going with. It may not have the same specific tiering or requirements around numbers,

Extract from *Hansard*

[ASSEMBLY — Wednesday, 20 March 2024]

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Ms Libby Mettam; Mr Paul Papalia; Mr Shane Love; Ms Merome Beard; Mr Peter Rundle

for instance, or types of firearms and locations, but the cascading demands for additional security subject to the number and type of firearms, their location and whether the building is occupied—the things in the South Australian system—are probably a steer on where we will head. Of course, the people the Leader of the Opposition is concerned about will all be, and have been, part of consultation since the outset. They will continue to be part of consultations, particularly when developing regulations for storage.

Debate interrupted, pursuant to standing orders.

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