

FIREARMS AMENDMENT REGULATIONS 2017 — DISALLOWANCE

Motion

Pursuant to standing order 67(3), the following motion by Hon Rick Mazza was moved pro forma on 25 May —

That the Firearms Amendment Regulations 2017 published in the *Government Gazette* on 3 February 2017 and tabled in the Legislative Council on 17 May 2017 under the Firearms Act 1973, be and are hereby disallowed.

HON RICK MAZZA (Agricultural) [4.08 pm]: I am very pleased that we got a start before the tea break, because we are on a very tight schedule to get this motion put today.

We do not look lightly at disallowance motions on regulations as they come through this house. In this case, I think it is very important that we discuss the Firearms Amendment Regulations 2017. Effectively, those regulations re-categorised lever-action shotguns from category A, which is the lowest test category for firearms, to category B and category D. Category B is a slightly higher test and firearm owners need to prove a genuine need. Most firearm owners will live with that. It is attainable. They could live with a re-categorisation to category B. However, category D is the same category for military assault rifles. It is not a category that any legitimate firearm owner would be able to access.

The difference between the two categories is that a lever-action shotgun with a magazine capacity of five rounds or fewer is in category B and a lever-action shotgun with a magazine capacity of greater than five rounds is in category D. The information I have indicates that the reason for this re-categorisation were some changes to the National Firearms Agreement. The changes to the NFA came about as a response to the Martin Place siege. A letter from Hon Michael Keenan, MP, Minister for Justice and Minister Assisting the Prime Minister on Counter-Terrorism, was addressed to a previous member of the other place. It was a response to an inquiry, and it states —

In January of this year, the Martin Place Siege Review recommended that the Commonwealth, States and Territories simplify the regulation of the legal firearms market through an update of the technical elements of the NFA.

My concern with that is that a lever-action shotgun was not the weapon used in Martin Place; a sawn-off pump-action shotgun was used in the siege at Martin Place. It has a completely different mechanism from a lever-action shotgun. Lever-action firearms have been around since the 1880s. Anybody who likes to watch old western movies would see lever-action firearms. Many firearms have a lever action, with many configurations and calibres, so I am not quite sure why lever-action shotguns have been singled out in this case. I do not buy the Martin Place siege argument.

A five-shot magazine lever-action shotgun falls into category A. At the briefing, we were told that owners of that particular shotgun will be granted a category B firearm licence, and that a grandfather clause will apply to licence holders of the few shotguns that have a magazine capacity of over five rounds and they will be granted a category D licence for the life of their licence or their ownership of the firearm.

There was a lot of discussion in the last term of Parliament about firearms. A few things went on in that term of Parliament. Two of those were disallowance motions on fee increases. In the first round, there were dramatic fee increases of up to 140 per cent. The reason given for that was that it was for cost recovery. The first disallowance motion I moved was supported by the Labor Party, and, in a very rare instance, a member of the Liberal Party, Hon Simon O'Brien, crossed the floor to support it. Hon Simon O'Brien pointed out that it was quite a clunky system and there were some issues involved. In the second round, there was a modest increase in firearm fees. Again, the ALP supported the motion and, again, a member of the Liberal Party, Hon Robyn McSweeney, crossed the floor. There has been concern amongst constituents about some of the matters surrounding firearms management and how law-abiding firearm owners have been disadvantaged.

Following those disallowance motions, there was an inquiry by the Joint Standing Committee on Delegated Legislation. I think Hon Robin Chapple was the chair of that committee at the time. It looked into whether the increase in charges was for cost recovery. The committee found that it was for cost recovery and that it had been supported. However, some comments were made that we had a very clunky, inefficient system and that even though it was for cost recovery, improvements could be made. That led to the Attorney General at the time forming an inquiry by the Law Reform Commission of Western Australia—inquiry 105.

Debate interrupted, pursuant to standing orders.

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Sitting suspended from 4.15 to 4.30 pm