

**FIREARMS ACT 1989—REGULATION**

(Relating to exemptions)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Firearms Act 1989, has been pleased to make the Regulation set forth hereunder.

GARRY WEST, MP  
Minister for Police.

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The Firearms Regulation 1990 is amended:

- (a) by inserting at the end of clause 4 (c) the following word and paragraphs:
  - ; and
  - (d) a tool designed to be used to split or break rock or concrete by means of the firing of an explosive cartridge (such as the tool known as the “Boulder Buster”); and
  - (e) a captive bolt gun of the kind designed for use in an abattoir in the humane killing of livestock.
- (b) by inserting after clause 93A the following clauses:

**Exemption for Federal and interstate Police**

94. A person is not guilty of an offence against the Act or this Regulation only because of something done by the person while acting in the ordinary course of the person’s duties as a police officer in the Australian Federal Police or the police force of another State or a Territory.

**Exemption for participants in 1995 Police and Fire Games**

95. A person who is accredited by the organisers of the Police and Fire Games as a participant in those games (to be held in Melbourne between 26 February and 4 March 1995) is exempt until 1 June 1995 from the following requirements of the Act:

- the requirements made by section 5 to be authorised by a licence or permit to possess a firearm (being a firearm that is for use by the person in competing at those games);
- the requirements made by section 9 to be authorised by a licence to possess a spare barrel for a pistol (being a pistol that is for use by the person in competing at those games);
- the requirements made by section 17 (3) to be authorised by a permit to possess ammunition (being ammunition that is suitable for a firearm that is for use by the person in competing at those games).

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#### EXPLANATORY NOTE

This Regulation operates:

- (a) to exempt explosive powered rock breaking tools and captive bolt guns used for the humane killing of abattoir animals from the definition of “firearm” in the Firearms Act 1989, with the result that those articles will not be regulated as firearms; and
- (b) to exempt participants in the 1995 Police and Fire Games (to be held in Melbourne) from the need to hold a licence in New South Wales to possess firearms, spare barrels and ammunition, so as to facilitate the movement of participants through the State before and for a reasonable period after the games are held (until 1 June 1995); and
- (c) to make it clear that members of the Federal Police and interstate Police Forces are exempt from the requirements of the Act when carrying out duties in New South Wales.

This Regulation is made under the Firearms Act 1989, in particular the definition of “firearm” in section 3, and section 56 (in particular, section 56 (2) (i)).

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