



New South Wales

Firearms Amendment (Museum Firearms Permits) Regulation 2019

under the

Firearms Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Firearms Act 1996*.

DAVID ELLIOTT, MP
Minister for Police and Emergency Services

Explanatory note

The object of this Regulation is to modify provisions of the *Firearms Regulation 2017* that relate to museum firearms permits—

- (a) to provide that the permit relates to ammunition as well as firearms, and
- (b) to authorise the possession of the firearms and ammunition to which the permit relates by employees and other persons engaged in the operation of the museum if those persons have been nominated by the permit holder and authorised by the Commissioner of Police, and
- (c) to require all pistols and prohibited firearms to which the permit relates to be rendered permanently inoperable, and
- (d) to permit the Commissioner of Police, in certain circumstances, to exempt permit holders from requirements that pistols and prohibited firearms be rendered permanently inoperable.

This Regulation is made under the *Firearms Act 1996*, including Division 3 of Part 2 and section 88 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Firearms Amendment (Museum Firearms Permits) Regulation 2019*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Firearms Regulation 2017

[1] Clause 59 Museum firearms permit

Omit “by any person (a *museum officer*) who is employed in, or who is otherwise engaged in the operation of, the public museum” from clause 59(1).

Insert instead “and any related ammunition by the person”.

[2] Clause 59(2)

Omit “a museum officer to possess the firearms”.

Insert instead “the permit holder and an authorised museum officer to possess the firearms and ammunition”.

[3] Clause 59(4)(a)

Omit “(being a firearm to which a category C or category D licence applies)”.

[4] Clause 59(4)(c) and (d)

Insert “and ammunition” after “firearms” wherever occurring.

[5] Clause 59(4)(c1)

Insert after clause 59(4)(c)—

- (c1) in the case of ammunition to which the permit applies, the conditions set out in clause 74(3),

[6] Clause 59(5A)–(5E)

Insert after clause 59(5)—

- (5A) Subclause (4)(a) does not require pistols or prohibited firearms that are part of, or become part of, the collection of a public museum to be rendered permanently inoperable if:
- (a) the public museum holds a museum permit for the collection, and
 - (b) the Commissioner has, by notice in writing, granted the permit holder an exemption under this paragraph (a *museum exemption*).
- (5B) The Commissioner may grant a museum exemption if satisfied that it is reasonable in the circumstances.
- (5C) The museum exemption may be granted unconditionally or subject to conditions and may be amended or revoked at any time.
- (5D) The Commissioner may revoke the museum exemption if satisfied the exemption is no longer reasonable in the circumstances.
- (5E) Subclause (4)(b) applies to any pistol or any prohibited firearm that is part of the collection of the public museum at any time during which a museum exemption is in force in respect of the museum.

[7] Clause 59(6)

Insert in alphabetical order—

authorised museum officer means a person who—

- (a) is employed in, or who is otherwise engaged in the operation of, the public museum, and
- (b) has been nominated by the permit holder, and

- (c) is eligible to be issued with a permit, and
- (d) is authorised in writing by the Commissioner.