



New South Wales

Firearms Amendment (Good Behaviour Bonds) Bill 2006

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to limit the disqualification of persons subject to good behaviour bonds from holding firearms licences or permits or from dealing in firearms.

At present, a person who is subject to a good behaviour bond entered into as a result of being found guilty of any offence is disqualified from holding a firearms licence or permit and prohibited from being involved in a licensed firearms dealing business. This Bill has the effect that a person will only be disqualified if the person has been convicted of an offence involving the possession or use of firearms or other weapons, an offence involving a serious assault or a drug trafficking offence.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 is a formal provision that gives effect to the amendments to the *Firearms Act 1996* set out in Schedule 1.

Schedule 1 Amendments

Schedule 1 limits the disqualification of persons subject to good behaviour bonds from holding firearms licences or permits or from dealing in firearms.

Schedule 1 [1] inserts a definition of *drug trafficking offence*.

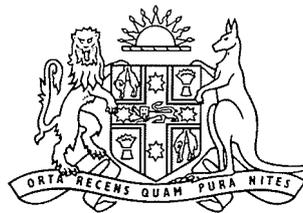
Schedule 1 [2] has the effect that a person will only be disqualified from holding a licence if the person has been convicted of an offence involving the possession or use of firearms or other weapons, an offence involving a serious assault or a drug trafficking offence.

Schedule 1 [3] has the effect that a person will only be disqualified from holding a permit if the person has been convicted of an offence involving the possession or use of firearms or other weapons, an offence involving a serious assault or a drug trafficking offence.

Schedule 1 [4] has the effect that a person will only be prohibited from being involved in a licensed firearms dealing business if the person has been convicted of an offence involving the possession or use of firearms or other weapons, an offence involving a serious assault or a drug trafficking offence.

Introduced by the Hon J S Tingle, MLC

First print



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New South Wales

Firearms Amendment (Good Behaviour Bonds) Bill 2006

No. , 2006

A Bill for

An Act to amend the *Firearms Act 1996* to limit the disqualification of persons subject to good behaviour bonds from holding firearms licences or permits or from dealing in firearms.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Firearms Amendment (Good Behaviour Bonds) Act 2006</i> .	3 4
2 Commencement	5
This Act commences on the date of assent.	6
3 Amendment of Firearms Act 1996 No 46	7
The <i>Firearms Act 1996</i> is amended as set out in Schedule 1.	8

Schedule 1	Amendments	1
	(Section 3)	2
[1]	Section 4 Definitions	3
	Insert in alphabetical order in section 4 (1):	4
	<i>drug trafficking offence</i> means an offence under any of the following provisions of the <i>Drug Misuse and Trafficking Act 1985</i> that involves a traffickable quantity (within the meaning of that Act) of a prohibited plant or a prohibited drug:	5
	(a) section 23 (Offences with respect to prohibited plants),	6
	(b) section 24 (Manufacture and production of prohibited drugs),	7
	(c) section 24A (Possession of precursors for manufacture or production of prohibited drugs),	8
	(d) section 25 (Supply of prohibited drugs),	9
	(e) section 25A (Offence of supplying prohibited drugs on an ongoing basis),	10
	(f) section 26 in so far as it relates to conspiring to commit an offence referred to in paragraph (a), (b), (c), (d) or (e),	11
	(g) section 27 in so far as it relates to aiding, abetting, counselling, procuring, soliciting or inciting the commission of an offence referred to in paragraph (a), (b), (c), (d) or (e),	12
	(h) section 28 in so far as it relates to conspiring to commit, or aiding, abetting, counselling or procuring the commission of an offence, under a law in force outside New South Wales which corresponds to a provision referred to in paragraph (a), (b), (c), (d) or (e).	13
[2]	Section 11 General restrictions on issue of licences	14
	Insert “as a result of being found guilty of an offence relating to the possession or use of a firearm, or any other weapon, an offence involving the infliction (or attempted infliction) of actual bodily harm on another person or a drug trafficking offence” after “elsewhere” in section 11 (5) (d).	15
[3]	Section 29 General restrictions on issuing permits	16
	Insert “as a result of being found guilty of an offence relating to the possession or use of a firearm, or any other weapon, an offence involving the infliction (or attempted infliction) of actual bodily harm on another person or a drug trafficking offence” after “elsewhere” in section 29 (3) (d).	17

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Schedule 1 Amendments

[4] Section 44A Prescribed persons not to be involved in firearms dealing business	1
	2
Insert “as a result of being found guilty of an offence relating to the possession or use of a firearm, or any other weapon, an offence involving the infliction (or attempted infliction) of actual bodily harm on another person or a drug trafficking offence” after “elsewhere” in section 44A (3) (e).	3
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