



QUEENSLAND POLICE SERVICE

WEAPONS LICENSING BRANCH
ADMINISTRATION DIVISION
200 ROMA STREET, BRISBANE 4000
GPO BOX 892, BRISBANE 4001

TELEPHONE (07) 3364 4416 FAX (07) 3364 4863



28 November 2003

NEWSLETTER 01/03

There have been many changes to legislation recently and as a result, the Weapons Licensing Branch has received a number of enquiries. In order to assist you, this newsletter has been developed to provide information relevant to licensing requirements. It is anticipated that this newsletter will be the first of many, to ensure that the Weapons Licensing Branch keeps you informed of any new developments.

PERMIT TO ACQUIRE

Submission of Notice of Disposal:

- A Notice of Disposal/s must be sent by registered post to reach the Authorised Officer within 14 days of the acquisition.

Signature of Disposer on Notice of Disposal:

A person disposing of a weapon does not have to be present for a brokerage transaction, however the disposer must have signed the **front** of the Notice Of Disposal in the section for disposer signature. If the disposer has not signed the Notice Of Disposal, the dealer should advise the acquirer of the weapon to obtain the signature of the disposer prior to undertaking the brokerage. In situations where the disposer is unable to sign the Notice Of Disposal, the acquirer must provide a letter from the disposer detailing the reason to be presented with the Notice Of Disposal. If the disposer is deceased, this information is to be recorded in place of the signature. This requirement is documented on all information sheets sent with each Permit To Acquire.

Whilst the disposer must sign the Notice Of Disposal, they are not required to be present for the brokerage. It is obviously desirable to verify the disposer's signature however there may be circumstances e.g. location/death, which prevent this from occurring.

The broker who has inspected the weapon described in the permit and certified that the details on the Permit to Acquire are correct must sign the licensed dealer/police certificate section on the rear of the Notice Of Disposal.

Disclaimer:

The disclaimer section was included on the form at the request of the dealer's association. This part of the form is a civil matter between the broker and the other parties. The Weapons Licensing Branch will process the Notice of Disposal whether the disclaimer is signed or not.

Record of Brokerage:

There is no legislative requirement for dealers to keep a record of brokerages they undertake however it is an extremely beneficial practice to ensure the accuracy of weapon movements.

Brokerage Fee:

\$10.00 + GST

GENERAL IMPORTANT INFORMATION

Barrel Lengths:

The standard format of the Form 10 and the Permit to Acquire application has been amended to include the barrel length of Category H weapon/s. Please ensure that this measurement is documented on Form 10's for all transactions involving a Category H weapon/s. Your assistance in ensuring your clients provide this branch with these details on applications for Permit to Acquire for Category H – sports or target shooting will assist in processing their applications quickly.

Destroying Weapons:

A situation exists where weapons that are no longer safe to use, cannot be repaired or no longer required have been delivered to a licensed dealer/armourer for the purpose of destruction.

A licensed dealer or a licensed armourer is permitted to destroy certain categories of weapons.

Category A, B or C weapons:

A licensed dealer or a licensed armourer in possession of a category A, B or C weapon that is no longer safe to use, cannot be repaired or no longer required may;

- (i) Deliver the weapon in its entirety or the frame/action/receiver (which contains the serial number) to the Officer in Charge of a police station and complete a relinquishing order.

A Form 10 is to be completed and forwarded advising of the disposal. A copy of the relinquishing order is to be attached to the form 10; or

- (ii) Destroy the weapon in its entirety or the frame/action/receiver (which contains the serial number) if the weapon is stripped for parts.

A Form 10 is to be completed and forwarded and shall advise the date the weapon was destroyed and **must** be signed by the nominee and not an employee.

Category D, H or R weapons:

A licensed dealer or a licensed armourer in possession of a category D, H or R weapon that is no longer safe to use, cannot be repaired or no longer required may;

- (i) Deliver the weapon in its entirety to the Officer in Charge of a police station and complete a relinquishing order; or

- (ii) If the weapon is stripped for parts, deliver the frame/action/receiver (which contains the serial number) to the Officer in Charge of a police station and complete a relinquishing order.

In either circumstance, a Form 10 is to be completed and forwarded advising of the disposal. A copy of the relinquishing order is to be attached to the Form 10.

Transfer of weapons from dealers/armourers to individual licence:

Dealers/Armourers licences issued in the name of a company or partnership where there is a nominee, the transfer to a personal licence will be subject to the Permit to Acquire process when acquiring a weapon/s. If the business is a sole operator, with or without trading name, then the transfer may occur subject to a Form 4 application and meeting the genuine need requirements.

Changes to Explosives Legislation:

From 1 July 2003, changes to the Explosives legislation now require a person to hold a licence or authority issued under the Weapons Act 1990 to possess ammunition. A licensed firearm dealer must be satisfied that a person, who is purchasing ammunition, is the holder of a licence or authority issued under the Weapons Act. This can only be achieved by sighting the licence or authority.

Ammunition is monitored under the Explosives Act 1999 and the Explosives Regulations 2003.

New Form 1:

The Form 1 - Application for a Licence has been revised. This new format will assist applicants in ensuring that all necessary supporting documentation and information is received by the Weapons Licensing Branch in order to make a determination on an application. The most significant changes are:

- An 'Application for a Licence Guide' is included with the Form 1. This guide provides information to applicants in relation to applying for a licence, storage requirements for weapons and a description of weapon categories;
- The introduction of 'Annexures' relevant to each genuine reason for possessing weapons. Section 10 of the Form 1 outlines the genuine reasons for possession of a weapon and the Annexure appropriate to each genuine reason. Each Annexure outlines the required information/supporting documentation required for each genuine reason. Applicants are required to select their genuine reason, and complete and attach the annexure relevant to their genuine reason to their Form 1; and
- The inclusion of a QP415 - Firearms List with the Form 1 which is to be completed by applicants who are already in possession of weapons. This may include applicants with weapons previously registered overseas or interstate.

If you have any further enquiries, please feel free to contact the staff of the Weapons Licensing Branch on 3364 4416 for assistance. Also for your convenience, these newsletters will be available on the Queensland Police Service internet site.

**M J CROWLEY
A/INSPECTOR
WEAPONS LICENSING BRANCH**