

# Consultation Paper

## Proposed amendments to the Firearms Importation Regime

### Regulation 4F and Schedule 6 of the *Customs (Prohibited Imports) Regulations 1956*



#### **SSAA Statement**

The Sporting Shooters' Association of Australia (SSAA) welcomes the opportunity to submit to the Consultation Paper regarding proposed amendments to the Firearms Importation Regime. Despite written regulations and rules, the SSAA believes there are exceptions to every rule. The power to allow exemptions should be available to the Minister responsible, and those within his department, to exert when deemed appropriate. There is no amount of regulations that can cater to every firearm, accessory, ammunition or ordnance.

The SSAA is strongly of the view that it is an individual who is responsible for their actions, not the tool or the implement. In addition, it must be restated that according to a plethora of records and statistics, it is almost always an unlicensed individual utilising an unregistered firearm that commits firearm crimes. Rarely does the criminal attempt to legally import firearm parts and accessories.

With that said, the SSAA understands that Customs Officials require manageable regulations to prevent prohibited items from entering the country. In light of this, our comments are intended to be practical, with community safety and the interests of legal firearms owners, and the industry that serves them, in mind.

## 1. Definition of handgun

### *Proposal*

It is proposed that the following definition of 'handgun' be inserted into the Regulations:

A handgun means a firearm that:

- a) is reasonably capable of being raised and fired by one hand; or
- b) is reasonably capable of being carried or concealed about the person; or
- c) has an overall length not exceeding 65 centimetres.

Do these characteristics accurately reflect the characteristics of a handgun? Would these characteristics be likely to capture something which is not a handgun?

### *SSAA Comment*

The SSAA believes these characteristics could reflect other firearms. The fact that the firearm can be concealed 'about the person' has nothing to do with the actual type of firearm. A sawn-off rifle or shotgun could also fall under this description.

In addition, the use of the word 'carried' is unrelated to the description of a firearm; the focus needs to be on the item itself. Firearms can be carried with a sling or held in a person's hands, and clothing such as a trench coat could easily conceal both longarms and handguns.

We propose the following -

A handgun means a firearm that:

- a) is not intended to be rested against the shoulder, and
- b) has an overall length less than 650 millimetres.

## **2. Classification of muzzle-loading and paintball marker handguns**

### *Proposal*

It is proposed that muzzle-loading handguns be excluded from ‘muzzle-loading firearm’ in Item 2 and paintball marker handguns be excluded from Item 14A. Instead, both types of handgun would be specifically included under Item 9. Item 9 currently incorporates handguns and soft air handguns, other than fully automatic handguns or those which are substantially the same in appearance as a sub-machine gun, machine pistol or fully automatic handgun.

These amendments would clarify how muzzle-loading handguns and paintball marker handguns are classified under the Regulations, but would not result in any change to the availability of these firearms for existing importers - muzzle-loading and paintball marker handguns would still be available for import under the same import tests that are currently applicable.

Will co-locating all handguns into one place under the Regulations aid in simplifying the import permission scheme for them? Will such a co-location have any consequences beyond simplifying the classification of muzzle-loading and paintball marker handguns?

### *SSAA Comment*

The SSAA does not have any demonstrative objections to the proposal.

However, we do not believe that low-velocity air pistols, which are considered to be a ‘toy’ in other countries, should be considered to be in the same category as a semi-automatic handgun.

Additionally, the SSAA does not consider paintball handguns to be firearms and we urge the department to contact the relevant industry association to consult on the matter.

### **3. Classification of revolving rifles**

#### *Proposal*

It is proposed that revolving rifles be excluded from Item 1 and Item 2 and instead be included under Item 3 (for rimfire versions) and Item 6 (for centrefire versions), which contains semi-automatic or self-loading firearms.

The effect of this amendment would be that importers who previously obtained revolving rifles under the Police Certification test would not be able to continue importing these firearms unless they are certified primary producers. There would be no change to the other import tests currently applicable for these firearms.

#### *SSAA Comment*

There are very few revolving rifles manufactured today. Most revolving rifles in private hands are antiques or modern replicas and are single-action, meaning they cannot be fired continuously without physically preparing the rifle for firing. It would be inappropriate to classify these revolving rifles in the same category as self-loading or semi-automatic firearms.

The SSAA has grave concerns that this proposal suggests a reinterpretation of the 1996 National Firearms Agreement, which focused on semi-automatic and automatic longarms. Rapidity of fire could be encapsulated within this proposal, which, by interpretation, could adversely restrict the sporting and hunting use of lever-action firearms, pump-action rifles, shotguns and in fact, any licensed shooter who can manipulate a bolt-action rifle quickly enough. In addition, rimfire and centrefire firearm capacity is already restricted by firearm type in all States and Territories.

Should there be a modern unique longarm rifle which does not meet an Australian Purpose of Use requirement, then the Minister still maintains discretion to control this on a case-by-case basis.

#### **4. Blank-fire firearms**

##### *Proposal*

It is proposed to include blank-fire firearms in the definition of a firearm and specifically exclude it from the definition of an imitation (for imitation firearms, an importer need only meet the requirements of the Police Certification test).

This amendment would make it unambiguous that blank-fire firearms must meet the import tests applicable for the same firearm that is not blank-fire, with no confusion that they should be treated as imitations.

##### *SSAA Comment*

The SSAA has no strong objections to blank-fire firearms being classified. However, we would caution the Attorney-General's Department to consult with firearm wholesalers and retailers to ensure it does not have implications for the storage limits imposed on new handguns.

## 5. Classification of meaning of ‘flare gun’ under definition of firearm

### *Proposal*

It is proposed to amend the wording of the exception as follows: ‘a flare gun, or other signalling device, **which is principally** designed for emergency or life saving purposes’ (suggested amendment in bold).

The effect of this amendment would be that multifunction firearms that are also capable of operating as a flare gun or other kind of signalling device would not be exempt from the firearms importation regime.

Are there devices, designed principally for emergency or life-saving purposes, but which are also capable of being used as a firearm? Are there articles which are commonly used for emergency or life-saving purposes but which are not principally designed for such operation?
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### *SSAA Comment*

The SSAA has no strong objections to this proposal.

## 6. Restrictions on .50 BMG firearms

### *Proposal*

It is proposed that the Regulations are amended so that .50 BMG firearms, cartridges, derivatives of these cartridges and cartridge components are subject to higher import controls under the Regulations.

The effect of the amendment would be that these articles are only available to importers under the Official Purposes, Specified Purposes and Returned Goods tests.

Are there any other quasi-military calibres that should be restricted? Are there legitimate civilian uses for these types of firearms?

### *SSAA Comment*

Currently, many State Firearm Registries allow for the ownership of firearms in .50 BMG-calibre and therefore any attempt to restrict the importation of this firearm is federal banning by stealth and misses the point that firearms can be manufactured domestically.

The SSAA currently has two shooting ranges permitted for .50 BMG, another range through Melbourne University's Dookie Campus and we plan to introduce others. In addition, large vertebrate pests such as camels, bulls, donkeys, buffalos and horses cause environmental and economic damage over our vast continent of tens of thousands of kilometres and require management by professional and non-professional hunters. A .50 BMG may, in many circumstances, be a humane choice for hunters of these wary larger feral animals, especially in vast open country.

Collectors also have an interest in this calibre due to its historical attributes as it is based on the Browning .50 Calibre Machine Gun commissioned to the army in 1910.

We would also like to dismiss some of the mythology surrounding the word 'sniper' or 'sniping'. The submission talks about it in terms of a .50 BMG being a tool of choice for accurately hitting human targets. In the Yugoslavian war, 'snipers' commonly shot at their enemy at 25-50m using .22 rimfire ammunition. The term 'sniper' or 'sniping' does not necessarily equate to large calibres or long distance. The SSAA and other shooting organisations have various accredited competitions where shooters compete in ranges in excess of 1000m. Furthermore, many centrefire rifles of a variety of different calibres can fire a projectile in excess of 3000m. On a range, this factor is addressed by the having an appropriate 'backstop' and buffer zone.

The armour-piercing ability of the .50 BMG rests solely with its projectile makeup, not with the firearm itself. These particular cartridges are designed for military applications and are unavailable/illegal for all private firearm owners to own in all states of Australia. As a result, the ammunition available to private firearm owners in Australia is vastly different to something that would 'pierce armour'.

Most calibres of firearms available to civilians worldwide are either based on military firearms or, in turn, military firearms that have mirrored a civilian-specific firearm. The .50 BMG is not dissimilar to the .223 Remington, .30-06 Springfield or .308 Winchester, all of which are commercial versions of a military cartridge. We would also like to state that criminals and terrorists obtain their weapons illegally.

The SSAA strongly objects to this proposal.

## **7. Interchangeable magazines**

### *Proposal*

It is proposed that magazines with a capacity of more than five rounds but no greater than ten rounds be available for import under the Police Certification test. Magazines with a capacity higher than ten rounds will still be prohibited unless imported under the Official Purposes, Specified Purposes, Specified Person or Returned Goods tests.

This amendment would not mean that magazines up to ten rounds could be imported without restriction, since the Police Certification test would permit importation of magazines up to ten rounds only if the person is authorised under the legislation of the relevant jurisdiction to possess the specific magazine.

It should also be noted that the proposal would not alter the existing rules relating to the importation of the firearms that use the magazines, nor the State and Territory laws relating to the licensing, ownership or use of the firearms.

### *SSAA Comment*

The SSAA has no strong objections to the proposal, but suggests the wording be changed to 'up to a magazine capacity of 10' for simplification.



## **8. Definition of firearm magazine**

### *Proposal*

It is proposed that the definition of firearm magazine be amended to ‘a magazine or part thereof, designed or intended for use with a firearm’.

The effect of the amendment would be that component parts of a magazine are subject to import controls whether they are imported separately or fully assembled.

Will this proposal encompass items which are normally used for other purposes but can form a part of a firearms magazine?

### *SSAA Comment*

The SSAA suggests that the most important part of a magazine is the casing, which, by current interpretation of the Regulation, is already controlled. Putting aside tubular magazines, the remaining components of a magazine are often small springs, screws and washers. These parts would be burdensome to assess by Customs Officials.

The SSAA suggests that the Regulation be left as is.

## **9. Definition of firearms parts**

### *Proposal*

It is proposed to amend the Regulations to enable specified firearms parts that are low risk and that are likely to fit multiple firearms to be imported subject to the Police Certification Test. This would include barrels.

All other parts, including breech blocks, bolts, upper and lower receivers, and trigger assemblies, would remain subject to the existing rules.

### *SSAA Comment*

The SSAA has previously argued that the *Customs v Powell* [2007] (The Powell Decision) has created significant barriers to our members in replacing faulty parts of what State and Federal bodies consider to be 'low-risk' firearms. While the proposal makes some attempt, ie, the allowance of 'low-risk' parts such as barrels to be imported by licensed firearm owners, the proposal needs to be broadened to include all other parts.

If an importer has State or Territory police approval to import the part, and the person is already lawfully in possession of a compatible firearm, the possibility of a 'community risk' is insignificant. If Regulations cannot be implemented to overcome the problems created by The Powell Decision, the SSAA suggests a new law be made at Federal level that prevents expensive tools of trade and firearms being rendered useless.

Additionally, industry consultation should be a priority on this matter.

## **10. Definition of firearm parts**

### *Proposal*

It is proposed to add a number of items to the definition of 'firearm part', on the basis that they are unique or crucial to the operation of a firearm. These parts include firearm cylinder, trigger housing and slide.

### *SSAA Comment*

The SSAA has no strong objections to a firearm cylinder, trigger housing and slide being added to the articles listed under the definition of firearm parts.

## 11. Damaged or unfinished firearm parts, and subcomponents of firearm parts

### *Proposal*

It is proposed to amend the definition of firearm part to specifically include subcomponents of a firearm part, unfinished firearm parts and damaged firearm parts.

It is also proposed to amend paragraph (c) of 'firearm part' from 'an assembled trigger mechanism' to '**a trigger mechanism**' as the term 'assembled' will be redundant.

Will this definition control essential spare parts for firearms which are in a person's legitimate possession? Will this proposal encompass items which are normally used for other purposes but which can also be a subcomponent of a firearms part?

### *SSAA Comment*

The SSAA rejects this proposal. The essential components of a firearm are already captured by importation regulations. At face value, this proposal could require burdensome interpretation and paperwork on behalf of Customs Officials and importers, with no evidence of public risk being diminished.

## **12. Release of Category C Dealer Stock for Demonstration purposes**

### *Proposal*

It is proposed to create a provision for an importer to seek permission from the Attorney-General to have an article released for demonstration or testing purposes, where the article has been imported under the Dealer test and the importer complies with the criteria relevant to the importation of an article for demonstration under the dealer test.

The current quantity and model type limits associated with the dealer test for demonstration purposes would still apply.

### *SSAA Comment*

The SSAA has no strong objections to this proposal. However, we reject the current storage regime where firearms are held at Customs, instead of by licensed and approved firearm wholesalers/dealers.

### 13. Amendment to the Specified Person test – Vertebrate pest controllers

#### *Proposal*

It is proposed to amend the wording of the Specified Person test to remove references to ‘principal’ and ‘only’ in relation to occupation, as well as the reference to rural land; as follows:

‘the importer of the article is a person whose occupation, **partly or wholly**, is the control of vertebrate pest animals.’

The test would still require that an applicant hold a licence or authorisation to carry out vertebrate pest control.

Will this proposal enable all legitimate vertebrate pest controllers to import firearms and related articles necessary for their occupation?
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#### *SSAA Comment*

The SSAA has a large number of members who donate their time and finances to assisting private and government landholders in controlling vertebrate pest animals.

We would like to see the definition read as follows:

‘the importer of the article is a person whose occupation **or unpaid vocation, partly or wholly**, is the control of vertebrate pest animals.’

The legitimacy of an unpaid vocational vertebrate pest controller could be established by accredited hunting and conservation organisations.

#### **14. Amendment to the Specified Purposes test – Research Development**

##### *Proposal*

It is proposed to amend the wording of the Specified Purposes test to remove references to ‘principal’ and ‘sole’ in relation to occupation as follows:

‘the importer of the article is a person whose occupation, partly or wholly, is the business of researching or developing firearms technology or other defence and law enforcement related products.’

It is further proposed to remove the ‘proven history’ elements of the research and development limb of the Specified test.

This limb of the specified purposes test will still require that:

an applicant hold a licence or authorisation to possess the article for research or development purposes in accordance with the law of the State or Territory in which the article is to be used in research or development; and

the article is being imported for the completion of a specific project or tender; and

the article will be allowed to remain in the country for a specified period of time, commensurate with that project or tender; and

the article will be exported or destroyed once that period of time has expired.

##### *SSAA Comment*

The SSAA has no strong objections to the amendment and suggest the Department seeks industry opinion for further consultation.

## **15. Prohibited firearm accessories**

### *Proposal*

It is proposed that the list of exclusions under Items 1, 2, 3 and 6 be amended to incorporate firearms fitted with any firearm accessory and that a similar clause be inserted under Item 9.

This amendment does not change the availability of firearms or firearm accessories for existing importers, but improves clarity by making the status of firearms fitted with accessories unambiguous.

### *SSAA Comment*

While the SSAA does not wholly object to the proposal, we would caution that collectable antiques may be inadvertently subject to further restrictions.



## 16. Telescopic and collapsible

### *Proposal*

It is proposed to replace the terms ‘telescopic’ and ‘collapsible stocks’ with the term ‘adjustable stock’, defined as a stock which may be adjusted to reduce the length of a firearm by more than 70mm.

It should be noted that an overall length provision, which would regulate firearms based on the overall length of the entire article, cannot be used as the basis for border controls because the majority of stocks are imported as stand-alone items and therefore must be able to be classified under the Regulations as individual articles.

Is 70mm an appropriate length or adjustment to regulate and, if not, what length would be better? Does this proposal make it clear which stocks are controlled under the Regulations? Would this proposal restrict the import of stocks for which firearm users have a legitimate need?

### *SSAA Comment*

This proposal has arisen due to Customs Officials raising concerns that stocks by themselves prevent them from assessing a firearm as according to its length.

Our concern is that this is a poor proposal for a worse interpretation. This proposal would only affect licensed firearm owners and would not hinder the criminal element from altering the length of a longarm by simple means of cutting the stock and/or barrel.

Furthermore, junior and disabled recreational shooters, and those who wish to use a firearm both for an adult or child, would be disadvantaged. Additionally, a collapsible or telescopic stock would create a safer environment when conducting legitimate hunting activities from the cabin of a vehicle.

To reiterate, the SSAA must reject the proposal and sees no ‘community safety’ benefit by its inclusion into Regulations.

## 17. Detachable stocks

### *Proposal*

It is proposed to include a definition of ‘detachable stock’ as a stock which may be readily removed from a firearm, by means of a button, clip or similar action.

Could a ‘detachable stock’ be better defined; and, if so, how?
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### *SSAA Comment*

Firstly, all longarm stocks are removable, some with as little as two screws and others requiring specialist tools. The creation of a definition for ‘detachable stocks’ leaves a real possibility that by creating this definition, all stocks would be affected.

The SSAA would argue that a detachable stock would allow a firearm to be safely and easily transported and less likely to cause community alarm.

We presume the concerns regarding detachable stock importation relate to the potential for a criminal to ‘conceal’. We refer back to Proposal 16 and the fact that criminals are more likely to make an illegal concealable firearm by their own means and are unlikely to legally source a specialist firearm or accessory from a licensed dealer.

The SSAA rejects the proposal.

## **18. Definition of firearm accessory**

### *Proposal*

It is proposed to amend the definition of ‘firearm accessory’ under (b) and (c) to include components of a device. This will ensure devices that otherwise meet the definition but are incomplete or broken down and shipped separately are still controlled as firearms accessories.

It is also proposed that the definition under (b) is amended to remove the term ‘rapid fire’ and instead include burst fire, semi-automatic and fully automatic fire; and (c) is amended to include burst fire and semi-automatic fire.

This will remove the ambiguity created by the term ‘rapid fire’ and ensure that all devices that can convert firearms into burst fire, semi-automatic or fully automatic capacity are controlled under the Regulations as firearms accessories, regardless of whether they are designed to modify a firearm or are simply capable of modifying a firearm.

### *SSAA Comment*

The SSAA can easily envisage that the interpretation, perhaps unintentionally, will further restrict common components of non-automatic and even non-semi-automatic firearms in a similarly problematic manner as a result of The Powell Decision. The alteration of a firearm to semi-automatic or full automatic is illegal under every State and Territory law and would most likely result in the loss of licence and firearms.

The SSAA cannot support this proposal.

## **19. Consolidation of firearm accessories under Part 2 of Schedule 6**

### *Proposal*

It is proposed that firearms accessories be consolidated under a single item in Part 2 of Schedule 6.

The actual controls and applicable tests regulating their import will not change; they will simply be grouped in one place for clarity.

### *SSAA Comment*

The SSAA has no strong objections to the proposal.

## **20. Integral silencers**

### *Proposal*

It is proposed that the definition of ‘firearm accessory’ be amended to include a firearm barrel that incorporates a silencer, sound suppressor or noise moderator.

The effect of the amendment would be that barrels with built-in silencers are subject to the same import tests as conventional silencers, being the Official Purposes, Specified Purposes and Returned Goods tests.

It is also proposed that the Regulations are amended so that the importation of a complete firearm with a built-in silencer falls to the higher control of Item 12.

The effect of this amendment would be that importation is available only under the higher controls of the Official Purposes, Specified Purposes and Returned Goods tests.

Is there any ambiguity in the term ‘integral silencer’?
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### *SSAA Comment*

The SSAA does not agree with this definition change as State Governments currently regulate the ownership of firearms and sound suppressors. For additional comments, see ‘SSAA Comments’ under Proposal 21.

## 21. Silencers and sound suppressors

### *Proposal*

To remove doubt, it is proposed that the definition of firearm accessory be amended to include '(a) a silencer **or sound suppressor** designed or intended for use with a firearm' (suggested amendment in bold).

Will the inclusion of 'sound suppressor' be sufficient to regulate the import of any article which reduces the sound of a discharging firearm? Does the proposal leave gaps, or would it be likely to capture any inappropriate items?

### *SSAA Comment*

The SSAA is concerned that this proposal could affect 'muzzle breaks' that are commonly used in larger calibre sport competitions and in hunting. 'Muzzle breaks' are not designed to reduce noise, but to reduce recoil.

Muzzle breaks and sound moderators also play a functional Occupational Health & Safety role for both the shooter and those nearby. They reduce recoil by dispersing gas and obviously reduce noise and the potential for hearing damage.

The SSAA also considers that silencers or sound moderators increase the efficiency of culling activities. For example, a herd of goats in the Flinders Ranges in South Australia presently disperse upon the firing of the first shot due to the noise.

Additionally, some SSAA clubs encounter complaints of noise and sound moderators could eliminate or reduce these complaints.

The SSAA does not consider silencers or sound suppressors to be a community risk and as previously stated, considers them to offer a community benefit. These devices are already regulated by State law. Those who misuse firearms, ie, criminals, almost always do so with an unregistered firearm and if they wish to use a silencer, they are likely to obtain it illegally or simply make one, as they are simple items to manufacture.

Given this information, the SSAA does not agree with adding sound suppressors to the definition.

## **22. Safety testing paintball markers**

### *Proposal*

It is proposed that Section 1.3 of the Regulations is amended so that paintball markers that do not require an export permit under the *Customs (Prohibited Export) Regulations 1958* do not have to meet safety testing requirements when the firearms return to Australia. The importer will still be required to provide evidence to satisfy Customs and Border Protection that the firearm had been previously exported from Australia.

### *SSAA Comment*

The SSAA expects the Department to have consulted with paintball industry associations. Note that the SSAA does not consider paintball markers to be firearms and does not consider them to be a community risk.

### **23. Safety requirements for firearms**

#### *Proposal*

It is proposed to amend this requirement of safety testing to the following:

‘in the case of a firearm having an exposed hammer or exposed hammers or having a bolt action, reasonably strong finger pressure is applied to each hammer or bolt tail’.

This proposed change will reduce the potential for damage to the firearm while still providing for adequate assessment of the firearm’s safety.

#### *SSAA Comment*

The SSAA agrees with this commonsense proposal.



## **24. Restrictions on .25 ACP calibre ammunition**

### *Proposal*

It is proposed to add .25 ACP calibre ammunition to Item 19 and the cartridge case and bullet components (only) of the .25 ACP calibre self loading pistol to Item 21 in order to restrict access and use of this calibre of ammunition.

The effect of the amendment would be that .25 calibre ACP ammunition is available only under the Official Purposes, Specified Purposes and Returned Goods test.

Feedback is specifically sought about the effects the amendment would have on those with a legitimate interest in purchasing .25ACP ammunition.

Is there a legitimate need in the shooting community for access to .25 calibre ACP ammunition?
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### *SSAA Comment*

After consultation with our collector groups and general members, the SSAA ardently rejects the proposal. A pistol or longarm can be rechambered to cater for .25ACP. In addition this proposal would prevent those who are permitted to own a .25ACP pistol as referred to above (there are exemptions) and who can collect ammunition from having access. Finally, sales of ammunition to licensed shooters is regulated by State and Territory laws.

## **25. Electroshock cartridges**

### *Proposal*

In line with restrictions on the importation of tasers under Item 12 to Schedule 2 of the Regulations, it is proposed that ammunition of this type should be included under Item 19 of Part 2. This would allow for importation only in compliance with the Official Purposes, Specified Purposes or Returned Goods tests.

Is the term 'electroshock cartridge' sufficient to describe the breadth of available taser-like projectiles? Would the use of the term 'electroshock cartridge' result in inappropriate regulation of other articles?
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### *SSAA Comment*

The SSAA has no opinion in regards to this proposal as it is not relevant to our activities.

## **26. Powerheads**

### *Proposal*

It is proposed to add 'powerhead' as a new item under Part 2 of Schedule 6, with importation subject to the Police Certification, Official Purposes, Specified Purposes, and Returned Goods tests.

Is there any ambiguity over what constitutes a 'powerhead'? Could this lead to the control of extraneous items?

### *SSAA Comment*

The SSAA sports shooters and recreational hunters do not utilise 'powerheads' or 'shark sticks'. The SSAA would encourage the Department to contact any legitimate user groups who currently utilise such devices and endeavour to not unfairly impinge on their activities. The SSAA would also be interested in knowing if a crime has ever been committed with such a device.

## **27. Removal of terminology ‘as soon as practicable’ from conditions of import**

### *Proposal*

It is proposed to amend all references to ‘as soon as practicable’ to ‘within the period, after importation, mentioned in the Attorney-General’s permission’, as per other tests under the Regulations.

### *SSAA Comment*

The SSAA does not support this proposal as it stands. Wording such as, ‘As soon as practical and within a prescribed time’, would assist to clarify the import condition. While there may be some individuals who would be affected by these changes, it is more likely to be businesses affected. Hence, the SSAA would strongly advise the Department to take into consideration recommendations from the National Traders and Dealers Council.

## **28. Power to revoke or amend permission**

### *Proposal*

To expressly grant the decision maker power to revoke or amend a permission to import after it has been issued.

### *SSAA Comment*

At face value, the SSAA has no strong objections. However, we strongly recommend that the Attorney-General's Department should only revoke or amend a permission to import if a license holder's legal status has changed or been revoked.

## **29. Conditions relating to importations**

### *Proposal*

It is proposed to include a similar condition for all other tests requiring permission from the Attorney-General, including the Specified Person, Sports Shooter, Returned Goods and Dealer tests.

This will provide the Attorney-General power to place restrictions on importation that are appropriately tailored to the specific circumstances of an importation, eg, timeframes, possession requirements, number of end users.

### *SSAA Comment*

The SSAA has no strong objections to the amendment. However, we would be concerned if there were unreasonable burdens placed on the importer and we believe the Attorney-General has the power to reduce unreasonable restrictions. We would seek further clarification of this point in the Commonwealth Firearms Advisory Council.

### **30. New Zealand sports shooter applications**

#### *Proposal*

It is proposed that the Regulations be amended to allow New Zealand citizens with special category visas under the Migration Act to meet the requirements of a certified sports shooter.

#### *SSAA Comment*

The SSAA has no strong objections to this proposal.

### **31. Sports Shooter and International Sports Shooter certification (Category C)**

#### *Proposal*

To increase the scope of clay target shooting organisations whose membership or organised sporting events can qualify for certification as a sports shooter or international sports shooter.

This would involve creating a criteria-based assessment scheme to determine if an organisation is appropriate for certification under the sports shooter and international sports shooter tests. This would avoid the need to amend the Regulations for each new organisation.

Feedback is specifically sought in relation to what criteria might be appropriate for the new certification scheme.

What types of clay target shooting competitions are regularly held in Australia and what organisations compete in them? What are the defining characteristics of a competitive, sports shooting clay target organisation?

#### *SSAA Comment*

The SSAA has no strong objections with the proposition and believes it could create an equitable environment for clay target shooting if carefully implemented. The SSAA is willing to be involved in further consultation on an assessment scheme but believes that no genuine organisation with international clay target competition links should be excluded. This is not a simple exercise, requires extensive examination and would take time.



### **32. Meaning of a certified sports shooter (Category C)**

#### *Proposal*

It is proposed that the term ‘club’ be clarified or defined to refer to ‘an accredited or licensed shooting or firearms club’, in accordance with relevant State and Territory regulations.

#### *SSAA Comment*

The SSAA has no strong objections to this proposal.