



New South Wales

Firearms (General) Amendment (Temporary Exemption—Percussion Lock Pistols) Regulation 2005

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*.

CARL SCULLY, M.P.,
Minister for Police

Explanatory note

The object of this Regulation is to exempt persons who possess multiple shot percussion lock pistols that use black powder, are muzzle loading and are manufactured before 1900 from the licensing and registration requirements of the *Firearms Act 1996* in relation to those pistols until 30 June 2006.

This Regulation is made under the *Firearms Act 1996*, including section 88 (2) (r).

2005 No 353

Clause 1 Firearms (General) Amendment (Temporary Exemption—Percussion Lock Pistols) Regulation 2005

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1 Name of Regulation

This Regulation is the *Firearms (General) Amendment (Temporary Exemption—Percussion Lock Pistols) Regulation 2005*.

2 Amendment of Firearms (General) Regulation 1997

The *Firearms (General) Regulation 1997* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Clause 111B

Insert after clause 111A:

111B Temporary licensing and registration amnesty for certain percussion lock pistols manufactured before 1900

- (1) In this clause:
 - amnesty period* means the period ending on 30 June 2006.
 - percussion lock pistol* means a multiple-shot, muzzle loading percussion lock pistol manufactured before 1900 that uses black powder.
- (2) **Exemption from licensing requirements**

A person who is in possession of a percussion lock pistol is not required to hold a licence or permit during the amnesty period for that pistol.
- (3) If the person makes an application during the amnesty period for a licence or permit authorising possession of the percussion lock pistol, the exemption under subclause (2) continues to apply in respect of the person until such time as the application is determined by the Commissioner.
- (4) **Exemption from registration requirements**

A person who is in possession of a percussion lock pistol that is not registered does not, during the amnesty period, commit an offence under section 36 of the Act of possessing an unregistered firearm.
- (5) If the person makes an application during the amnesty period for the percussion lock pistol to be registered, the exemption under subclause (4) continues to apply in respect of the person until such time as the application for registration of the pistol is determined by the Commissioner.
- (6) Section 51A (1) of the Act does not apply to a licensed firearms dealer in respect of the purchasing of a percussion lock pistol from a person to whom an exemption under subclause (2) or (4) applies.

Note. This subclause enables the unlicensed owner of a percussion lock pistol to sell the pistol to a dealer without the dealer committing an offence of purchasing a firearm from an unlicensed person.

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Schedule 1 Amendment

- (7) The possession of a percussion lock pistol by a person in accordance with an exemption under subclause (2) or (4) is taken not to be possession for the purposes of section 51D of the Act.
- (8) Nothing in this clause authorises the use of a firearm.

BY AUTHORITY
