

## LEGISLATION

The Queensland legislation governing firearms is the *Weapons Act 1990*, Weapons Regulation 2016 and the Weapons Categories Regulation 1997. This legislation outlines the limitations on the eligibility of persons who may be issued with a certain licence, the categories of firearms which may be held under a licence type and the relevant schedule of fees.

### ***Weapons Act 1900***

#### **Section 168B – Amnesty for firearms and prescribed things in particular circumstances**

(1) A person who unlawfully possesses a firearm, or a prescribed thing can not be prosecuted for an offence against this Act for possession of the firearm or prescribed thing if—

(a) the person is taking the firearm or prescribed thing directly to, or has the firearm or prescribed thing at—

(i) an approved licensed dealer for the purpose of the dealer disposing of or otherwise dealing with it; or

(ii) a police station for the purpose of surrendering it to a police officer; and

(b) the person complies with any conditions prescribed by regulation for the taking of the firearm or prescribed thing to the approved licensed dealer or police station.

(2) Subsections (3) and (4) apply if the person—

(a) takes the firearm or prescribed thing to an approved licensed dealer under subsection (1)(a)(i); and

(b) does not provide the approved licensed dealer with the particulars as required under section 73(a).

(3) Section 73 does not apply to the approved licensed dealer.

(4) The approved licensed dealer must surrender the firearm or prescribed thing to a police officer.

*Maximum penalty—10 penalty units.*

(5) The commissioner may approve a licensed dealer for this section.

(6) The commissioner must publish the names of the approved licensed dealers on the QPS website.

(7) In this section—

***approved licensed dealer*** means a licensed dealer approved by the commissioner under subsection (5).

***prescribed thing*** means—

(a) a magazine for a weapon; or

(b) a category R weapon that is not a firearm; or

(c) another thing prescribed by regulation.

#### **Section 168C – Dealing with surrendered firearm or prescribed thing**

(1) This section applies if a person surrenders a firearm or prescribed thing under section 168B(1)(a)(ii) or (4).

(2) On the surrender of the firearm or prescribed thing, the firearm or prescribed thing—

(a) becomes the property of the State; and

(b) is taken, for the *Police Powers and Responsibilities Act 2000*, chapter 21, part 3, division 7 to have been forfeited to the State.

### **Weapons Regulation 2016**

#### **Section 160A – Condition for amnesty for firearms and prescribed things**

For section 168B(1)(b) of the Act, it is a condition for a person who is surrendering a firearm or prescribed thing by taking it to an approved licensed dealer or police station that, unless the person has a reasonable excuse, the person must notify the approved licensed dealer or a police officer at the police station before taking it to the approved licensed dealer or police station.