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To Interested Shooters

Dear Shooter

re: Transport of A and B Firearms

I am concerned, because of inquiries I continue to receive, that some firearm owners still do not understand the requirements of the Firearms Act 1996 in regard to transport of firearms.

Suggestions that guns or ammunition have to be carried in a locked box, or that the firearm might have to be "chained up" are quite wrong. You will recall that I have dealt with these ideas several times in my newsletters. But, of course, the newsletters go to members of the Shooters Party, and non-members probably don't see them.

In a nutshell:

The Firearms Act 1996 makes *no rules about the transport of "A" and "B" category firearms.*

The only comment in the Act about transportation of firearms comes in Sections 56 and 57. Section 56 is about Commercial Transportation of Firearms, which does not apply to members of your club. Section 57 reads:

"Non-commercial transportation of certain firearms

Any person (other than a person who is engaged in the business of transporting goods) who conveys a prohibited firearm or a pistol must comply with the safety requirements prescribed by the regulations."

Please note that this applies to "prohibited" firearms or "pistols." It does **not** apply to Category "A" or "B" firearms, which are what most shooters would be using and transporting. These categories are not mentioned.

The Regulation mentioned by **Section 57** is **Regulation 101**, which reads:

"Non-commercial transportation of prohibited firearms and pistols - prescribed safety requirements.

(1) For the purposes of Section 57 of the Act, the following safety requirements are prescribed:

- (a) the firearm must not be loaded with any ammunition while it is being conveyed, and it must be kept separate from any ammunition
- (b) while the firearms is being conveyed:
 - (i) it must be rendered temporarily incapable of being fired (eg by removing the bolt or firing mechanism or by using a restraining device such as a trigger lock), or
 - (ii) it must be kept in a locked container that is properly secured to, or is within, the vehicle being used for transporting the firearm."

Again, this Regulation, as it says in its heading, applies only to prohibited firearms and pistols. It does not apply to "A" and "B" Category firearms.

However, I believe that the existence of part (ii) has been mistaken by some people as applying to all firearms, which it does not.

In addition, the Blue Book, Secure Storage of Firearms, produced by the Firearms Registry, talks about having to have guns locked up and ammunition carried separately, in a locked container, such as the glove box of a car.

This is not required by the Act. I have spoken to the Registry about this, and they agree that it is not in the Act, and is not an enforceable requirement, but that they put it in the book as a suggestion. Obviously, a shooter who wanted to make absolutely sure he/she would have no difficulties might choose to adopt this system. But it's not mandatory.

The only requirement arising from any reading of the Act, is that when an "A" or "B" category firearm is being transported, it should not be loaded. But common sense suggests that, anyway, and it is only inferred by the sections relating to prohibited firearms and pistols.

I am fully aware that some shooters will argue with what I have put in this letter, which I am writing in response to many requests for clarification of the position.

People tend to be ready to believe "what they've heard" from some great little bush lawyer down at the pub, or anywhere else, rather than believe the facts. What I have given you are the facts, quoted from the Firearms Act, but if people prefer to believe the doomsayers, that's their prerogative.

Hope this clarifies the position.

With best wishes

Yours sincerely

John Tingle MLC
The Shooters Party