

Queensland



Subordinate Legislation 1998 No. 103

Weapons Act 1990

**WEAPONS AMENDMENT REGULATION
(No. 2) 1998**

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Short title

1. This regulation may be cited as the *Weapons Amendment Regulation (No. 2) 1998*.

Commencement

2. Sections 23 and 24 commence on 1 May 1998.

Regulation amended

3. This regulation amends the *Weapons Regulation 1996*.

Amendment of s 3 (Possession or use of weapon unlawful to extent another licence is needed to authorise that possession or use)

4.(1) Section 3(1), example, paragraph (d)—

omit, insert—

‘(d) to store, manufacture, modify or repair the weapon in the course of the licensee’s business of storing, manufacturing, modifying or repairing weapons (an armourers licence is needed); or’.

(2) Section 3(1), example, paragraph (g)—

omit.

(3) Section 3(1), example, paragraph (h)—

renumber as paragraph (g).

Insertion of new s 3A

5. After section 3—

insert—

‘Possession of weapon for transport not authorised unless necessarily incidental to licence activities

‘3A.(1) To remove any doubt, it is declared that a licence does not authorise possession of a weapon for or during its transportation unless the transportation is necessarily incidental to engaging in an activity for which

the weapon may be used under the licence.

Examples of transportation for which possession of a weapon is authorised—

1. Transportation of a weapon to or from a range for use in target shooting.
2. Transportation of a weapon from a licensee's secure storage facilities to a licensed armourer or dealer, and its return transportation.

'(2) Subsection (1) does not apply to a minor's licence.'

Replacement of s 9 (Temporary recognition of interstate licence)

6. Section 9—

omit, insert—

'Temporary recognition of interstate licences

'9. Each of the following is a purpose for visiting Queensland for section 32(1)(b) of the Act—

- (a) to undertake recreational shooting on rural land with permission, given before the visit, from the landowner to shoot on the land;
- (b) to perform an occupational requirement to shoot on rural land for a rural purpose.'

Replacement of s 12 (Limitation on weapons' physical possession under licence held by body)

7. Section 12—

omit, insert—

'Limitation on weapons' physical possession and use under licence held by body

'12.(1) Despite any other provision of this regulation, a licence held by a body does not authorise the body to physically possess a weapon, other than by its representative endorsed on the licence.

'(2) A licence held by a body for a weapon authorises the body's representative endorsed on the licence to physically possess and use the weapon for the purposes of the body that are authorised by the licence, if this regulation does not already give that authorisation.'

Amendment of s 15 (Blank-fire firearms licence)

8.(1) Section 15(1) and (2)—

omit, insert—

‘15.(1) A blank-fire firearms licence may be issued only to—

- (a) an individual; or
- (b) a theatrical organisation; or
- (c) an athletic or other sporting organisation.

‘(2) A blank-fire firearms licence held—

- (a) by an individual—authorises the licensee to physically possess and use, for an authorised purpose, any blank-fire firearm in the category stated on the licence and owned by the licensee; or
- (b) by an organisation—
 - (i) authorises the licensee to non-physically possess, for an authorised purpose, any blank-fire firearm in the category stated on the licence and owned by the licensee; and
 - (ii) authorises the organisation’s representative endorsed on the licence to physically possess and use, for an authorised purpose, any blank-fire firearm in the category endorsed on the licence and owned by the licensee.’.

(2) Section 15(3), ‘a purpose in subsection (4)’—

omit, insert—

‘an authorised purpose’.

(3) Section 15(4) and (5)—

omit, insert—

‘(4) In this section—

“authorised purpose” means—

- (a) for an individual who applied for the licence for theatrical productions—for use in theatrical productions; or
- (b) for a theatrical organisation—for use in theatrical productions in the conduct of the organisation’s activities; or

- (c) for an individual who applied for the licence to start sporting events—for starting sporting events; or
- (d) for a sporting organisation—for starting sporting events in the conduct of the organisation’s activities.

“eligible person” means a member who is eligible to hold a licence.

“start”, a sporting event, includes end an event, and mark a stage or other happening of official significance to the event.’.

Amendment of s 16 (What concealable firearms licence authorises)

9. Section 16, from ‘category R’—

omit, insert—

‘category R for the purpose stated on the licence.

(2) However, a concealable firearms licence does not authorise the possession or use of a weapon for recreational shooting.’.

Amendment of s 17 (When and how concealable firearm may be worn)

10.(1) Section 17—

insert—

(5A) However, subsections (4) and (5) do not apply if—

- (a) the person is using the weapon for sports or target shooting at an approved range; and
- (b) compliance with the subsections is impractical because of the type of sports or target shooting.’.

(2) Section 17(8)—

insert—

- ‘(c) if the wearer is using the firearm for sports or target shooting at an approved range; or
- (d) if the wearer is actually performing in—
 - (i) a theatrical production; or

- (ii) a military re-enactment; or
- (iii) an historical demonstration.’.

Insertion of new s 20A

11. After section 20—

insert—

‘Firearms licence—1 category C weapon for occupational fisher

‘**20A.(1)** A person who, in the conduct of the person’s business as, or employment by, a commercial fisher, has a need on a particular vessel, for 1 category C weapon may apply for a firearms licence with an endorsement for the weapon.

‘**(2)** An authorised officer may issue a licence endorsed under subsection (1) only if the authorised officer is satisfied the applicant’s need for the firearm can not be satisfied in another way.

‘**(3)** A licence endorsed under subsection (1) authorises the licensee to possess and use the single category C weapon stated on the licence, but only to satisfy the need stated on the licence.

‘**(4)** In this section—

“**commercial fisher**” means the holder of a commercial fisher licence under the *Fisheries Act 1994*.’.

Amendment of s 21 (Firearms licence—1 category D firearm for occupational culling of large animals)

12. Section 21(1)—

omit, insert—

‘**21.(1)** A person who, in the conduct of the person’s business or employment (whether or not in primary production), has a need for a category D weapon to cull animals may apply for a firearms licence with an endorsement for 1 category D weapon.’.

Replacement of s 23 (Minor's licence)**13. Section 23—**

omit, insert—

‘Minor’s licence

‘23.(1) A minor’s licence may be issued only—

- (a) to authorise the licensee to physically possess any category A, B or H weapon to—
 - (i) transport it to and from an approved range for the category of weapon; and
 - (ii) use it under the supervision of a range officer at the approved range for the category of weapon; or
- (b) to authorise the licensee to physically possess any category A or B weapon to use it in primary production on rural land in the conduct of the licensee’s business or employment; or
- (c) to authorise the same possession and use of a weapon that is available to an adult under any of sections 19, 20 or 20A.

‘(2) A minor’s licence authorises the possession and use of the weapon of the category or type stated on the licence for the purpose stated on the licence.

‘(3) A minor’s licence may be issued for a category C weapon only if the applicant would be entitled to a licence endorsed under section 19, 20 or 20A for the weapon if the minor were an adult.’.

Insertion of new ss 25A to 25C**14. Part 3, after section 25—**

insert—

‘Miscellaneous weapons licence

‘25A.(1) A miscellaneous weapons licence may only be issued for—

- (a) a category E weapon; or
- (b) a category R weapon mentioned in the *Weapons Categories Regulation 1997*, section 8(m) or (o) (a **“historical or military**

weapon”); or

- (c) a category R weapon mentioned in section 8(n) or (r) of that regulation (a **“martial arts weapon”**).

‘(2) A miscellaneous weapons licence may only be issued for a category E weapon, if an authorised officer is satisfied the applicant for the licence has—

- (a) a special occupational need for the weapon; or
- (b) an exceptional need for the weapon for self-preservation that can not be satisfied in another way.

‘(3) If the applicant applied for a miscellaneous weapons licence for a category E weapon, the licence authorises the licensee to possess and use the type of category E weapon stated on the licence, but only to satisfy the need stated on the licence.

‘(4) A miscellaneous weapons licence may only be issued for a historical or military weapon if an authorised officer is satisfied the applicant is a current member of a club that—

- (a) is, or is affiliated with, a State, national or international historical, or military re-enactment, organisation; or
- (b) is a genuine historical, or military re-enactment, organisation that gives training in the use of the type of weapon.

‘(5) If the applicant applied for a miscellaneous weapons licence for a historical or military weapon, the licence authorises the licensee to possess and use the type of historical or military weapon stated on the licence, but only to engage in the activities of the club.

‘(6) A miscellaneous weapons licence may only be issued for a martial arts weapon if an authorised officer is satisfied the applicant is a current member of a club that—

- (a) is, or is affiliated with, a State, national or international martial arts organisation; or
- (b) is a genuine martial arts training organisation that gives training in the use of the type of weapon.

‘(7) If the applicant applied for a miscellaneous weapons licence for a martial arts weapon, the licence authorises the licensee to possess and use

the type of martial arts weapon stated on the licence, but only to engage in the activities of the club.

‘(8) A holder of a miscellaneous weapons licence must take reasonable precautions to ensure that weapons under the licence are not accessible to persons who are not lawfully entitled to physically possess the weapons.

Maximum penalty—10 penalty units.

‘Group licence—what licence authorises

‘25B.(1) A group licence may be issued only—

- (a) to an individual or body to satisfy an occupational need of the individual or body to possess a weapon; or
- (b) to a body that is a sports or target shooting club to satisfy its needs in sports or target shooting to possess a weapon.

‘(2) A group licence may be issued only for a weapon that may be possessed under the following licences, and for the purpose for which those licences may be issued—

- (a) a firearms licence; or
- (b) a firearms licence (instructor); or
- (c) a concealable firearms licence; or
- (d) a miscellaneous weapons licence.

‘(3) For a licensee who is an individual, a group licence authorises—

- (a) the licensee to possess and use the weapons or type or category of weapons stated on the licence (the “**weapons**”) for the purpose stated on the licence; and
- (b) the licensee’s employees to physically possess and use the weapons for the purpose stated on the licence.

‘(4) For a licensee that is a body mentioned in subsection (1)(a), a group licence authorises—

- (a) the non-physical possession of the weapons by the licensee for the purpose stated on the licence; and
- (b) the licensee’s officers and employees to physically possess and

use the weapons for the purpose stated on the licence.

‘(5) For a licensee that is a sports or target shooting club, a group licence authorises—

- (a) the non-physical possession of the weapons by the licensee for the purpose stated on the licence; and
- (b) the licensee’s members, officers and employees to physically possess and use the weapons to engage in the club’s lawful shooting activities.

‘(6) However, a group licence does not authorise a member, officer or employee of a body to possess or use a weapon unless he or she—

- (a) is an individual who holds a current licence that gives him or her rights to possess and use a weapon of the same type as that which is to be possessed or used under the group licence; or
- (b) is a range officer within the meaning of section 108(2) of the Act who holds any current licence.

‘(7) Also, a group licence only authorises a person who is a member, officer or employee of a body to possess or use a weapon for the specific purpose for which the weapon was issued to the person by the body.

‘Group licences—other provisions

‘25C.(1) An application for a group licence is taken to be an application for each class of licence mentioned in section 25B that is appropriate to the weapons proposed to be stated on the licence, including for endorsements under sections 19 to 21.

‘(2) A group licence may not be issued to authorise anything that may only be authorised under a security licence (organisation) or security licence (guard).

‘(3) After a person who has physical possession of a weapon under a group licence has finished engaging in the specific activity for which the weapon was issued to the person, the person must return the weapon to the body’s secure storage facilities as soon as practicable.

Maximum penalty—10 penalty units.

‘(4) The holder of a group licence must keep a register containing—

- (a) the name and licence number of each person to whom a weapon was issued under the licence; and
 - (b) the weapon's serial number; and
 - (c) if the holder is a sports or target shooting club—
 - (i) the date each person took physical possession of the weapon; and
 - (ii) the date the weapon was returned to the body's secure storage facilities; and
 - (d) if the holder is not a sports or target shooting club—
 - (i) the date and time each person took physical possession of the weapon; and
 - (ii) the date and time the weapon was returned to the body's secure storage facilities.
- ‘(5) If the information is about—
- (a) the issue of the weapon to the person—it must be entered when the weapon is issued; or
 - (b) anything else—it must be entered when the weapon is returned to the body's secure storage facilities.’.

Amendment of s 26 (What dealer's licence authorises)

15. Section 26(1)(b)—

omit, insert—

- ‘(b) broking the acquisition of any permanently inoperable or blank-fire weapons in category R by the holder of a theatrical ordnance supplier's licence, or of any permanently inoperable weapons in category R by the holder of a collector's licence (weapons); and’.

Replacement of s 27 (What armourer's licence authorises)

16. Section 27—

omit, insert—

‘What armourer’s licence authorises

‘**27.(1)** An armourer’s licence authorises the licensee to store, manufacture, modify or repair any weapon in the course of the licensee’s business of storing, manufacturing, modifying or repairing weapons.

‘**(2)** However, the licence only authorises the manufacture or modification of a weapon at premises approved by an authorised officer and stated on the licence.’.

Amendment of s 29 (Other particulars dealers and armourers must enter in weapons register)

17. Section 29—

insert—

‘**(3)** If the register is a computer register, the licensed dealer or licensed armourer must, no later than the seventh day of each month—

- (a) produce a print-out of the part of the register that records information about transactions that took place within the previous month; and
- (b) bind the print-out in book form with all other print-outs produced under this subsection for the licence.

‘**(4)** The print-out must also include a statement that identifies all weapons held under the licence as at the end of the previous month by their type, action, make, model, serial number, calibre or magazine capacity.

Maximum penalty for subsection (3)—10 penalty units.’.

Amendment of s 30 (How weapons may be stored)

18. Section 30—

insert—

‘**(3)** To prevent any doubt, it is declared that subsection (1) does not apply while a weapon is in the physical possession of a body’s representative endorsed on the licence, or another individual, under the authority of a licence held by the body.’.

Amendment of s 33 (Ceiling)

19. Section 33(2)—

omit, insert—

‘(2) The steel rods that the mesh is made of must—

- (a) be at least 5 mm in diameter; and
- (b) be arranged in a square or rectangle, of which no side is over 200 mm long.’.

Amendment of s 39 (Construction of premises where collection stored)

20. Section 39—

insert—

‘(2) However, a person need not comply with subsection (1) if—

- (a) there are no more than 30 weapons at the premises where the weapon is; and
- (b) the way the weapon is stored complies with section 60(2) to (4).

‘(3) To prevent any doubt, it is declared that subsection (1) does not apply while a weapon is in the physical possession of a body’s representative endorsed on the licence, or another individual, under the authority of a licence held by the body.’.

Amendment of s 48 (What security licence (guard) authorises)

21.(1) Section 48(1)—

omit, insert—

‘**48.(1)** A security licence (guard) may only be issued for a category C or H weapon that may be carried under section 54, or a category E weapon.

‘**(1A)** A security licence (guard) may only be issued to the following persons if the person holds a security officer’s licence under the *Security Providers Act 1993*—

- (a) an employed security guard;
- (b) a security guard who is applying for the licence to guard another

person's property.'

(2) Section 48(3)—

omit, insert—

'**(3)** However, the licence does not authorise a security guard to possess or use a weapon—

- (a) in a place if the reason or part of the reason the security guard is at the place is to maintain order at the place; or
- (b) for private inquiry work; or
- (c) for process serving or debt collection.

'**(3A)** Also, the licence does not authorise a security guard to physically possess a weapon unless the security guard duties actually being performed reasonably necessitate the weapon's physical possession.

Example of security guard duties which reasonably necessitate the physical possession of a weapon—

Escorting cash or valuables.'

(3) Section 48(5)—

omit, insert—

'**(5)** If the duties as a security guard are performed as an employee, the licensee must return the weapon to the employer at the premises where it was issued to the licensee at or before the end of the shift.

Maximum penalty—10 penalty units.'

(4) Section 48—

insert—

'**(7)** An individual who carries on business on the individual's own account as a security guard must place the weapon in the individual's secure storage facilities at the earliest practicable time after the individual stops performing the guard duties that reasonably necessitated the weapon's physical possession.

Maximum penalty—10 penalty units.'

Amendment of s 49 (Security licence (organisation))

22. Section 49(5)—

omit, insert—

‘**(5)** However, the licence does not authorise a person to physically possess or use a weapon, or authorise the organisation to allow an employee to physically possess a weapon—

- (a) in a place if the reason or part of the reason the security guard is at the place is to maintain order at the place; or
- (b) for private inquiry work; or
- (c) for process serving or debt collection.

‘**(6)** Also, the licence does not authorise a person to physically possess a weapon unless the security guard duties actually being performed reasonably necessitate the physical possession of the weapon.

Example of security guard duties which reasonably necessitate the physical possession of a weapon—

Escorting cash or valuables.’.

Amendment of s 50 (Security precautions for security organisation)

23. Section 50(1)—

omit, insert—

‘**50.(1)** An organisation that holds a security organisation licence must take reasonable precautions to ensure that weapons under the licence are not accessible to a person other than—

- (a) the organisation’s endorsed representative; or
- (b) an employee of the organisation who holds a security licence (guard) or a firearms licence (instructor).

Maximum penalty—10 penalty units.’.

(2) Section 50—

insert—

‘**(6)** To prevent any doubt, it is declared that subsection (2) does not apply while a weapon is in the physical possession of a body’s

representative endorsed on the licence, or another individual, under the authority of a licence held by the body.’.

Insertion of new s 51A

24. After section 51—

insert—

‘Security guard’s entries in security guard’s register

‘51A.(1) The information a security guard must record in the security guard’s register under section 126A of the Act is as follows—

- (a) the guard’s name and licence number;
- (b) the weapon’s serial number;
- (c) the date and time the guard took physical possession of the weapon;
- (d) the date and time the guard placed the weapon in the licensee’s secure storage facilities;
- (e) if the weapon was fired while in the guard’s physical possession—the identity of the person, if known, or the thing, at which the weapon was fired, and the reason for firing;
- (f) if the weapon left the guard’s physical possession during the time the weapon was away from the licensee’s secure storage facilities—how it came to leave the guard’s possession and any information the guard has about the weapon’s possession or use while out of the guard’s possession.

‘(2) If the information is about—

- (a) taking physical possession of the weapon—it must be entered when physical possession is taken; or
- (b) anything else—it must be entered at the earliest practicable time after the individual stops performing the guard duties that reasonably necessitated the weapon’s physical possession.’.

Amendment of s 54 (Number of weapons a security guard may carry)

25.(1) Section 54, ‘performing duties’—

omit, insert—

‘who is protecting another person’s property’.

(2) Section 54—

insert—

‘**(2)** A person who is protecting the person’s own property as a security guard must not carry a weapon other than 1 category H weapon of at least .22 calibre but not more than .40 calibre.

Maximum penalty—10 penalty units.’.

Replacement of s 56 (Waiting period of 28 days after applying for permit to acquire)

26. Section 56—

omit, insert—

‘Waiting period for decision on application for permit to acquire

‘**56.(1)** This section prescribes the period for section 42 of the Act.

‘**(2)** The period is 28 days after the day the applicant lodges the application for the permit to acquire the weapon.

‘**(3)** However, if—

- (a) the applicant already holds a firearm under a licence; or
- (b) an authorised officer is satisfied there are exceptional circumstances;

the period is the remainder of the day on which the applicant lodges the application for the permit.’.

Insertion of new s 57A

27. After section 57—

insert—

‘Category H weapons—club letter certifying need for weapon

‘57A.(1) This section applies to an applicant for a permit to acquire a category H weapon who relies, for the application, on a need to possess the weapon for sports or target shooting.

‘(2) The applicant must lodge a letter with the application containing the following information—

- (a) the applicant’s name and address;
- (b) the type of weapon for which the applicant is seeking a permit to acquire;
- (c) the number and expiry date of the licence relied on to acquire the weapon;
- (d) the name, and approved shooting club number, of the approved shooting club of which the applicant is a member;
- (e) a certificate that the applicant—
 - (i) is a current member of the club; and
 - (ii) needs to use the weapon to engage in shooting activities as a member of the club, or in shooting activities of an approved shooting club affiliated with the club.

‘(3) The letter must be signed by the applicant, and the certificate must—

- (a) be signed for the club by a member of the governing body of the certifying club; and
- (b) state that fact.’

Amendment of s 60 (Storage of weapon not in licensee’s physical possession)

28.(1) Section 60, heading, at the end—

insert—

‘—secure storage facilities’

(2) Section 60(1)(c)—

omit, insert—

- ‘(c) to a weapon to which section 60A applies; or
- (d) if section 60A does not apply to a weapon that is in or on a vehicle and section 61 is complied with.’.

(3) Section 60(3)(a)—

omit, insert—

- ‘(a) for a category D, H or R weapon (other than a martial arts or historical or military weapon mentioned in section 25A(1))—be made of solid steel and be bolted to the frame or floor of a permanent building; or’.

(4) Section 60—

insert—

‘**(5)** However, a person who possesses a weapon must, when the weapon is not in the person’s physical possession, store it in the way provided in sections 39 to 43, if there are, at the premises where the weapon is, more than—

- (a) a total of 30 category A, B, C or D weapons; or
- (b) 30 category H weapons.

‘**(6)** To prevent any doubt, it is declared that subsection (2) does not apply while a weapon is in the physical possession of a body’s representative endorsed on the licence, or another individual, under the authority of a licence held by the body.’.

Insertion of new s 60A

29. After section 60—

insert—

‘Storage of weapon not in licensee’s physical possession—when away from secure storage facilities

‘**60A.(1)** This section applies to a weapon in the possession of a person who is—

- (a) the holder of a visitor’s licence; or
- (b) a visitor to Queensland to whom section 32(1) of the Act applies;

or

(c) to another person if—

- (i) the person is away from the person's secure storage facilities; and
- (ii) it is unreasonable for the person to have to go to those facilities to store the weapon.

‘(2) A person who possesses a weapon to which this section applies must, when the weapon is not in the person's physical possession, store it unloaded in—

- (a) a securely closed container with the bolt removed or with a trigger lock fitted; or
- (b) a locked container.

‘(3) The container must be—

- (a) out of sight in a locked room of a permanent building; or
- (b) locked in the boot of a vehicle; or
- (c) out of sight, locked in a vehicle that does not have a boot.’.

Amendment of s 61 (Safety precautions for weapons in or on vehicles)

30.(1) Section 61(1)(b)—

omit, insert—

‘(b) otherwise—

- (i) the weapon is locked in a metal container fixed to the vehicle; or
- (ii) the weapon is in a securely closed container that is out of sight in a vehicle.’.

(2) Section 61(3), ‘driver's or passenger's compartment of a’—

omit.

(3) Section 61—

insert—

‘(4) This section does not apply to a weapon to which section 60A applies.’.

Insertion of new s 63A

31. After section 63—

insert—

‘Storage of restricted items

‘**63A.(1)** A person who possesses a restricted item must, when the item is not in the person’s physical possession, store it in a locked container.

Maximum penalty—10 penalty units.

‘(2) A person who possesses a restricted item must take reasonable precautions to ensure the item is not accessible to persons who are not lawfully entitled to possess the item.

Maximum penalty—10 penalty units.’.

Amendment of s 73 (Modifying firearm to make it “permanently inoperable”—Act, s 7)

32.(1) Section 73(1)—

omit, insert—

‘**73.(1)** For section 7 of the Act, the way to modify a firearm to make it incapable of being discharged is—

- (a) to comply with subsections (2) to (5); or
- (b) the way approved under subsection (6).’.

(2) Section 73—

insert—

‘**(6)** An authorised officer may, on written application, give the applicant written approval to make a particular firearm or type of firearm incapable of being discharged, in a stated way.

‘**(7)** However, the authorised officer must be satisfied that the way proposed to be approved gives at least the same level of inoperability as compliance with subsections (2) to (5) would give.’.

Amendment of s 74 (Fees)**33.** Section 74(2)—

omit, insert—

‘(2) If a person applies for a miscellaneous weapons licence to authorise in substance what the person may already do under an exemption granted under section 2(1)(m) of the Act, the person is exempt from the fee for the licence.

‘(2A) The fee for a group licence is the total of the application fees for each class of licence mentioned in section 25B that is appropriate to the weapons to which the application relates.’.

Insertion of new ss 80 and 81**34.** After section 79—

insert—

‘How handcuffs or batons must be worn

‘**80.(1)** A person must not wear handcuffs or a telescopic baton unless the handcuffs or baton are fully concealed in a closed pouch.

Maximum penalty—10 penalty units.

‘(2) A person must not wear a baton (other than a telescopic baton) unless it is secured in a suitable holder that is securely attached to a belt around the person’s waist.

Maximum penalty—10 penalty units.

‘(3) In this section—

“wear” does not include wear during a performance, demonstration or re-enactment.

‘Persons prescribed to be “primary producers”

‘**81.** For section 5 of the Act, definition “primary producer”, a “primary producer” includes a holder of a commercial fishers licence under the *Fisheries Act 1994*.’.

Insertion of new sch 2, s 4**35. Schedule 2—***insert—***‘Queensland Fire and Rescue Authority**

‘4.(1) Queensland Fire and Rescue Authority (“**QFRA**”), is a government service entity only for the purposes of possessing and using incendiary devices in category R.

‘(2) QFRA’s prescribed functions are its functions under an Act that necessitate the employment of an incendiary device in category R to prevent and control fires.

‘(3) The prescribed functions for an employee of QFRA are the functions the employee performs in the division of QFRA known as Rural Fire Services when QFRA is performing the prescribed functions mentioned in subsection (2).’.

SCHEDULE**MINOR AMENDMENTS**

section 3

1. Section 14(b)(ii), ‘an institution’—*omit, insert—*

‘a psychiatric hospital, training centre, security patient’s hospital or another similar institution established’.

2. Section 17, heading, ‘concealable’—*omit, insert—***‘category H’.****3. Section 19(7)—***omit.***4. Section 21, heading ‘large’—***omit.***5. Section 21(2), ‘licence’ (second mention)—***omit, insert—***‘licensee’.****6. Section 22(2) and (4)—***omit.*

SCHEDULE (continued)

7. Section 22(3) and (5)—

renumber as section 22(2) and (3).

8. Part 6 heading—

omit, insert—

**‘PART 6—STORAGE MEASURES FOR
COLLECTORS’.**

9. Section 45, definition “public place”—

omit.

10. Section 51, heading, ‘Security’—

omit, insert—

‘Employed security’.

11. Section 51(1)(e), after ‘person’—

insert—

‘, if known’.

12. Section 52(3), after ‘relates’—

insert—

‘unless the security guard is the representative of the organisation endorsed on the organisation’s licence’.

ENDNOTES

1. Made by the Governor in Council on 23 April 1998.
2. Notified in the gazette on 24 April 1998.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Police.

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