



Queensland

# Weapons Legislation Amendment Regulation 2019

## Subordinate Legislation 2019 No. 43

made under the

*Weapons Act 1990*

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Weapons Legislation Amendment Regulation 2019*.

## **Part 2 Amendment of Weapons Categories Regulation 1997**

### **2 Regulation amended**

This part amends the *Weapons Categories Regulation 1997*.

### **3 Amendment of s 8 (Category R weapons)**

Section 8(1)—

*insert—*

(ba) a device designed to attach to a firearm that uses recoil generated by the firearm to increase the firearm's rate of fire;

*Example—*

a bump stock

### **4 Amendment of s 9 (Restricted items (Act, s 67))**

Section 9, heading, '(Act, s 67)'—

*omit, insert—*

**—Act, s 67**

### **5 Amendment of s 10 (Recognised astronomical organisations (Act, s 67))**

(1) Section 10, heading, '(Act, s 67)'—

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*omit, insert—*

**—Act, s 67**

- (2) Section 10, from ‘paragraph’ to ‘Act’—

*omit, insert—*

section 67(5) of the Act, definition *recognised astronomical organisation*, paragraph (a)

**6 Insertion of new s 11**

After section 10—

*insert—*

**11 Recognised occupations—Act, s 67**

The following occupations are prescribed for section 67(5) of the Act, definition *recognised occupation*, paragraph (a)—

- (a) search and rescue helicopter pilot;
- (b) search and rescue helicopter crew member.

**Part 3 Amendment of Weapons Regulation 2016**

**7 Regulation amended**

This part amends the *Weapons Regulation 2016*.

**8 Amendment of s 94 (Storage of particular weapons not in person’s physical possession—secure storage facilities)**

- (1) Section 94(2)—

*insert—*

*Note—*

See section 60 of the Act for obligations relating to secure storage facilities.

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(2) Section 94—

*insert—*

- (7) A person to whom subsection (2) applies must take reasonable precautions to ensure—
- (a) if the container has a keyed lock or padlock—
    - (i) the key for the lock or padlock is not lost or stolen; and
    - (ii) the key for the lock or padlock is not accessible to persons who are not lawfully entitled to possess the weapon; or
  - (b) if the container has a combination lock—the combination for the lock is not accessible to persons who are not lawfully entitled to possess the weapon.

Maximum penalty for subsection (7)—10 penalty units.

**9 Amendment of s 95 (Storage of weapon not in person's physical possession if away from secure storage facilities or visitor to Queensland—secure storage)**

(1) Section 95(2), notes—

*insert—*

- 3 See section 60 of the Act for obligations relating to secure storage facilities.

(2) Section 95—

*insert—*

- (5) The person must take reasonable precautions to ensure—
- (a) for a trigger lock mentioned in subsection (2)(a)(ii), or a container mentioned in subsection (2)(b), that has a keyed lock—

- 
- (i) the key for the lock is not lost or stolen; and
  - (ii) the key for the lock is not accessible to persons who are not lawfully entitled to possess the weapon; or
- (b) for a trigger lock mentioned in subsection (2)(a)(ii), or a container mentioned in subsection (2)(b), that has a combination lock—the combination for the lock is not accessible to persons who are not lawfully entitled to possess the weapon.

Maximum penalty for subsection (5)—10 penalty units.

## 10 Amendment of s 159 (Modifying firearm to make it permanently inoperable)

Section 159—

*insert—*

- (4) Despite subsection (1), if a warfare firearm has been imported under the *Customs Act 1901* (Cwlth), the way to make the warfare firearm permanently inoperable is the way required under that Act to have enabled the Minister under that Act to give written permission for the importation of the warfare firearm on the grounds the importation complied with the collectors and non-government museum test.

- (5) In this section—

***collectors and non-government museum test*** see the *Customs (Prohibited Imports) Regulations 1956* (Cwlth), schedule 13, part 1, item 7.

***warfare firearm*** means—

- (a) a rifle that has a calibre of more than .50; or

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- (b) a machine gun that has a calibre of more than .50; or
- (c) a field gun, mortar or launcher mentioned in schedule 4, section 14A(1); or
- (d) a flamethrower.

ENDNOTES

- 1 Made by the Governor in Council on 4 April 2019.
- 2 Notified on the Queensland legislation website on 5 April 2019.
- 3 The administering agency is the Queensland Police Service.

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