

THE NORTHERN TERRITORY OF AUSTRALIA

No. 42 of 1980

AN ACT

To amend the Firearms Act (No. 2) 1979

[Assented to 30 May 1980]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the Firearms Act 1980.

2. REPEAL

The Firearms Act (No. 104 of 1979) is repealed.

3. PRINCIPAL ACT

(1) The Firearms Act (No. 2) 1979 is in this Act referred to as the Principal Act.

(2) The Principal Act as amended by this Act may be cited as the Firearms Act.

4. INTERPRETATION

Section 5(1) of the Principal Act is amended by inserting after the definition of "silencer" the following definition:

"'spear-gun' means any mechanism or instrument designed or used to discharge or propel a spear under water;"

5. EXEMPTIONS

Section 6 of the Principal Act is amended -

(a) by inserting in sub-section (1)(c) after sub-paragraph (iii) the following sub-paragraph:

"(iiia) is a spear-gun;" and

(b) by omitting from sub-section (5) "the property of the Crown or the Territory".

Firearms

6. NEW SECTION

The Principal Act is amended by inserting after section 14 the following section:

"14A. FORM OF CERTIFICATE

"A certificate of registration shall be in the approved form."

7. CERTAIN PARTICULARS TO BE FURNISHED

Section 17(a) of the Principal Act is amended by omitting "if he changes his address" and substituting "if he changes his name or address".

8. CARRIAGE, HIRE, &c., OF FIREARMS PROHIBITED

Section 18 of the Principal Act is amended by omitting sub-section (2)(b) and substituting the following paragraph:

"(b) the firearm is registered in a State or another Territory or the defendant is authorized, by or under the law in force in the State or another Territory in which he is ordinarily resident, to carry, possess or store the firearm."

9. RETURNS

Section 39 of the Principal Act is amended by omitting "prescribed form" and substituting "approved form".

10. NEW SECTION

The Principal Act is amended by inserting after section 43 the following section:

"43A. FORM OF LICENCE

"A collector's licence shall be in the approved form."

11. DETERMINATION OF APPLICATIONS

Section 50 of the Principal Act is amended by omitting sub-section (3) and substituting the following sub-section:

"(3) For the purposes of sub-section (2)(d), an applicant who is -

(a) a member of an approved pistol club; and

(b) recommended by the club of which he is a member as a suitable person to hold a shooter's licence,

has, by virtue of that membership and the recommendation, a sufficient reason to possess, carry and discharge a firearm class C."

Firearms

12. NEW SECTION

The Principal Act is amended by inserting after section 60 the following section:

"60A. FORM OF PERMIT

"A purchase permit shall be in the approved form."

13. PARTICULARS TO BE FURNISHED

Section 63 of the Principal Act is amended -

(a) by omitting "or otherwise disposes of"; and

(b) by omitting from paragraph (b) "the disposition" and substituting "the sale".

14. NEW SECTION

The Principal Act is amended by inserting after section 65 the following section:

"65A. FORM OF TEMPORARY PERMIT

"A temporary permit shall be in the approved form."

15. NOTICE OF APPEAL

Section 73 of the Principal Act is amended by inserting after "by lodging" the words "within 28 days after the decision of the Commissioner".

16. DECLARATION OF RESTRICTED AREAS

Section 78(1) of the Principal Act is amended by omitting "(an area of land referred to in sub-section (2) excepted)".

17. DELIVERY OF FIREARMS TO UNLICENSED PERSON

Section 99 of the Principal Act is amended by omitting "is the owner of a firearm" and substituting "is in possession of a firearm".

18. NEW SECTION

The Principal Act is amended by inserting after section 106 the following section:

"106A. DUPLICATE CERTIFICATES AND LICENCES

"(1) Where the Commissioner is satisfied that a certificate of registration granted under section 14(1) or a licence has been destroyed, lost or stolen, he may, upon application by the person to whom the certificate of registration or licence was granted, issue to that person a duplicate certificate of registration or a duplicate licence, as the case may be.

Firearms

"(2) An application for a duplicate certificate of registration or a duplicate licence shall be in the approved form accompanied by the prescribed fee.

"(3) A duplicate certificate of registration or a duplicate licence shall be in the approved form."

19. AVERMENTS

Section 107 of the Principal Act is amended by omitting "by the prosecutor".
