

Tasmania Police

OFFICE OF THE COMMISSIONER

Antique Firearms Transition Project
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Phone 6173 2225

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Our ref: A24/10074

Date 18 January 2024

Dear Secretary of an approved firearms club,

NOTIFICATION OF CANCELLATION OF EXEMPTION NO.4 UNDER THE FIREARMS ACT 1996

I write to advise you about a new process to manage the possession of antique (pre-1900) firearms which has been implemented in Tasmania.

Until now, Exemption No. 4 under the *Firearms Act 1996* (the Act) has allowed people to possess certain antique (pre-1900) firearms without a licence, registration and storage requirements.

However, I have determined to cancel Exemption No. 4 on 18 January 2024 and antique firearms are now subject to the licencing, registration and storage provisions of the Act.

Anyone who owns antique firearms must now take steps to ensure their possession of those firearms is compliant with the legislation. Antique firearms owners have four options:

1. Apply for a **time limited individual exemption** (to continue to possess these firearms in compliant firearms storage for a limited time whilst applying for a suitable firearms licence and registration),
2. Apply for a **firearms licence, or upgrade a licence** now (however, this will require immediate surrender of the firearms to a licenced dealer during the process),
3. **Sell the firearm** through a licensed firearms dealer; or
4. **Surrender the firearm** to police for destruction (Tasmania has an ongoing firearms amnesty).

The changes are aimed at improving community safety, and the opportunity to apply for a time limited individual exemption will give owners time to consider their options to keep, sell or dispose of the firearms.

Exemption No. 4 operated to exclude a category of firearms (pre-1900 firearms) from the licensing and registration regime under the *Firearms Act 1996*, rather than a person (or class of persons) being exempted. The Exemption is not, therefore within the power conferred upon the Commissioner by the Act.

Excluding this category of firearms is not consistent with the intent of the Act or the expectations of the Tasmanian community with regard to licencing, registration and storage

provisions for other types of firearms.

The exemption has also been subject to misinterpretation, and some people have relied on it to possess firearms that take commercially available cartridge ammunition. This was never the intent of this exemption. To have firearms with this capability that aren't subject to registration and storage requirements is a potential risk to the community.

The new process to possess antique (pre-1900) firearms will further help to protect our community by ensuring that proper processes are in place regarding the possession and storage of antique firearms. Importantly, it allows for fit and proper person assessments to be undertaken, which previously was not done in relation to antique firearms.

We understand that these changes mean affected owners will need to take action and we have established the Antique Firearms Transition Project team of subject matter experts to support owners through this process.

Concurrently, work is underway to seek legislative amendment to the Act. Consideration will be given to whether possession of antique firearms is permitted and, if so, the licence and training requirements that would apply.

Please find attached a copy of the application for exemption for antique firearms. It can be completed on a computer or in hardcopy. The application can be emailed or posted to the Antique Firearms Transition Project, the contact details are below.

You can find more information at our website <https://fas.police.tas.gov.au>. To contact the Antique Firearms Transition Project team: email antique.firearms.transition@police.tas.gov.au, write to GPO Box 308, HOBART, TAS 7001 or call Firearms Services, on 6173 2225.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Donna Adams', with a long horizontal flourish extending to the right.

Donna Adams
COMMISSIONER OF POLICE