

AUSTRALIAN CAPITAL TERRITORY

Update request 15/09/2016

1. Is it a requirement that an ammunition collector in your state/territory be a member of a cartridge collecting association such as the Australian Cartridge Collectors Association (ACCA) or the International Ammunition Association (IAA)?

(1) No.

2. Which section of your state/territory Firearms Act refers to collecting, selling, buying or trading ammunition? (It is likely there is more than one section or sub-section.)

(2) Section 41(collectors). Sections 243,244 and 245 apply to selling ammunition. Section 248 applies to acquiring ammunition.

2. Could you provide me a photocopy of the relevant section/s in your Firearms Act dealing with collecting, selling, buying, trading or anything else to do with ammunition? (Or, if your Firearms Act is available on the internet, could you please provide me the web address?)

(3) See: www.legislation.act.gov.au

3. If an ammunition collector in your state/territory needs information from their Firearms Registry regarding collecting, selling, buying or trading ammunition, who is the best person (the most conversant member in your section in that area of the legislation) they could speak with and their contact number?

(4) Any member of the ACT Firearms Registry can answer questions in relation to ammunition. The contact number is: (02) 61332122.

5. What is the situation in your state/territory regarding collecting, selling, buying or trading ammunition in the following situations:

a) someone with a Shooters Licence?

b) someone with a Firearms Dealers Licence?

c) someone who does not have a shooters or dealers licence - they do not own any firearms and collect ammunition only?

(5) a. Licenced shooters can only buy ammunition for firearms they have registered.

b. A licensed firearms dealer can buy and sell any kind of ammunition as long as it is not illegal ammunition.

c. No licence is necessarily required for the collection of ammunition as long as approval has been given in writing by the Registrar of Firearms.

d. Authorised club members can sell ammunition on premises owned or used by a club and the acquirer is at the premises to take part in a competition or activity conducted by or in association with the club.

6. In the case of (a) above, is the ammunition they can collect, sell, buy or trade dependent solely on which category of firearms their licence allows? For example if they are only registered as owning .22LR rimfire firearms, is .22LR rimfire ammunition the only ammunition they can collect? If this is so, what does a collector then need to do to ensure they can collect, buy, sell or trade other ammunition such as shotgun or centrefire cartridges in your state/territory?

(6) As per 5 (a).

7. Does your state/territory legislation have any special or unusual requirements for individuals that collect, sell, buy or trade ammunition? For example in Tasmania,

someone selling or supplying ammunition to another person must ensure they are the holder of a licence for a firearm which takes that ammunition, OR has other authorisation from the Police Commissioner to do so. In addition the seller must see the authority of the buyer to ensure he can legally possess it. I expect this probably applies in other jurisdictions.

(7) As per answer 5.

8. What are the storage requirements for ammunition in your state/territory? In other words, how much security is required?

(8) Storage of ammunition in the ACT must be in a lockable metal container.

9. Are any limits imposed on collectors as to what quantity of ammunition they can collect?

(9) (a) the applicant is a collector of ammunition; and

(b) the collection of ammunition does not, and will not, consist of more rounds of ammunition that are identical as to the following than the registrar considers reasonable in the interests of public safety:

(i) manufacturer;

(ii) date of manufacture;

(iii) calibre or type;

(iv) if the ammunition bears a cartridge headstamp— headstamp.

10. Are ammunition components such as bullets, primers, percussion caps, propellant, empty cartridge cases and so on regarded as ammunition in your state/territory and therefore subject to the same storage requirements? (ie a requirement they all be securely locked away)?

(10) *ammunition*—

(a) includes—

(i) a cartridge case fitted with a primer and projectile; and

(ii) a cartridge case fitted with a primer that contains a propelling charge and projectile; and

(iii) blank cartridges, airgun pellets, training cartridges or gas cartridges; and

(iv) anything else prescribed by regulation; but

(b) does not include—

(i) a paintball; or

(ii) something prescribed by regulation not to be ammunition.

11. What are your laws regarding transporting ammunition? This refers to both transporting it intrastate re security issues, and transporting it interstate.

(11) A locked container.

12. What legislation in your state/territory, affects the ownership/possession by collectors of inert large calibre ordnance, this includes projectiles for artillery, fuzes for projectiles, brass or steel cartridge casings, inert mortar projectiles & fuzes, inert hand grenades, inert rockets & inert mines?

(12) Firearms Act 1996 and Prohibited Weapons Act 2008.

Further comments from ACT Police 19/09/2016

9. The only mention of actual amounts are as below. The spirit of this is to allow legitimate collecting and not stockpiling by misusing this part of the legislation. There is some level of subjective test to this but alas that is admin law for you.

Head stamp is not defined and should not be viewed as a technical term in the manner in which you would view it, it simply means some form of identifier on the base of the case. In any case that part of the legislation after (b) is confusing and appears to mean that is how you define what is identical in (b). Therefore unless in the unlikely event the registrar was exercising their public interest power in regards to an excessive collection that this section would not cause anyone concern.

The Firearms ACT 1996;

41 Registrar's approval to possess ammunition as collector

(1) A person may apply to the registrar for approval to possess ammunition.

Note 1 If a form is approved under s 271 for this provision, the form must be used.

Note 2 A fee may be determined under s 270 for this provision.

(2) The registrar must approve the application unless prevented from

doing so by subsection (3). (3) The registrar must not approve the application unless satisfied on

reasonable grounds that—

(a) the applicant is a collector of ammunition; and

(b) the collection of ammunition does not, and will not, consist of more rounds of ammunition that are identical as to the following than the registrar considers reasonable in the interests of public safety:

(i) manufacturer;

(ii) date of manufacture;

(iii) calibre or type;

(iv) if the ammunition bears a cartridge headstamp—

As for 12. This comes under the prohibited weapons Act. I cannot comment on other states only the ACT.

Empty brass or other cases are of no concern.

Munitions are another matter and bombs(which would include explosive projectiles), hand grenades and mines are specifically mentioned in the prohibited weapons act.

1. an explosive, incendiary, irritant or poison gas—
 - (a) bomb; or
 - (b) grenade; or
 - (c) rocket with a propellant charge of more than 100g; or
 - (d) missile with an explosive or incendiary charge of more than 7g;
or
 - (e) mine

The premise on this is when does it cease to be a bomb, grenade or mine? – It can be argued both ways however we have run on the assumption that a permit is needed even if the item has been rendered safe and propellant and/or explosive has been removed.

As for actual munitions we have had a number of supposedly inert or cleared munitions that have required the closure of large parts of a suburb until it was properly rendered safe by ADF personnel.

I cannot give a hard and fast rule for these items so the best advice is what Judy already stated is that we do them on a case by case basis so get your members to email us with pictures before purchase.

I hope this assists.

SERGEANT GLEN PITKETHLY

DEPUTY FIREARMS REGISTRAR

<image001.gif>

ACT POLICING

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