

NEW SOUTH WALES

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, not at this time. Except for "Prohibited Weapons"

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) Ammunition Control Bill 2012 and Section 9 of the Firearms Act 1996 authorises the collection of firearms however, the provisions of section 9(3) expressly excludes from this authority the collection of ammunition. This must be done by way of a specific ammunition collector's permit. Section 9(3) states:

A firearms collector licence does not authorise the possession of ammunition for any firearm that is part of the firearms collection to which the licence relates.

Further, Section 65 of the *Firearms Act 1996* relevantly prohibits the sale, purchase and possession of ammunition unless the person possessing the ammunition is the holder of a licence or permit which authorises the possession or use of a firearms that takes the ammunition, or otherwise authorised by a permit to do so. Section 65 relevantly states that:

65 Sale, purchase and possession of ammunition (cf APMC 9 (c), 1989 Act s 17)

- i A person must not sell ammunition for any firearm unless:
 - (a) the purchaser is the holder of a licence or permit for a firearm which takes that ammunition, or
 - (b) the purchaser is authorised to purchase it by a permit, and the seller has seen the licence or permit. Ammunition Collecting Permit \$75.00 for 5 years.
- ii A person must not purchase ammunition for any firearm unless the person:
 - (a) is the holder of a licence or permit for a firearm which takes that ammunition, or
 - (b) is authorised to purchase it by a permit, and the amount of ammunition that is purchased at any one time does not exceed the amount (if any) prescribed by the regulations.
- iii A person must not possess ammunition unless the person:
 - (a) is the holder of a licence or permit for a firearm which takes that ammunition, or
 - (b) is authorised to possess it by a permit.
- iv A person is not guilty of an offence under subsection (3) only because of possessing ammunition that is being conveyed or stored in the ordinary course of the person's duties in the business of a carrier or warehouse operator.

Clause 34 of the *Firearms Regulation 2006* provides specific requirements for firearms collections, with clause 34(7)(a) requiring that any ammunition for any firearm (whether or not forming part of the collection) must not be kept in the area or room in which the firearms are stored, unless the ammunition is stored in a separate locked container. Clause 34 relevantly prescribes as follows:

34 Firearms collections

- v For the purposes of section 20 (e) of the Act, the following standards are prescribed for the storage of firearms in a firearms collection:

(a) any ammunition for any firearm (whether or not forming part of the collection) must not be kept in the area or room in which the firearms are stored, unless the ammunition is stored in a separate locked container,

NSW has a specific permit for persons wishing to collect ammunition. This permit is authorised by clause 69 of the *Firearms Regulation 2006*. Clause 69 relevantly states that:

69 Ammunition collection permit (cf 1997 cl 59)

- i The Commissioner may, on application by a person, issue a permit authorising the person to buy or possess ammunition for the purpose of an ammunition collection.
- ii A permit under this [clause](#) authorises the holder to buy and possess ammunition for the purpose of an ammunition collection only.
- iii A permit under this [clause](#) is subject to the following conditions:
 - (a) any ammunition forming part of the collection must be rendered inert (other than any sporting or military ammunition of *UN Hazard Classification Code 1.4.S* up to 20 mm calibre),
 - (b) the ammunition must not contain high explosive, smoke, chemical or lachrymatory properties or agents,
 - (c) the ammunition must be safely stored in accordance with such directions as may be approved.

Please note that dealers are subject to specific requirements relating to storage of ammunition. Clause 38 of the *Firearms Regulation 2006* prescribes that:

38 Storage of ammunition

A licensed [firearms](#) dealer must ensure that any ammunition for any [firearm](#) that the dealer is authorised to possess under the licence is stored in a restricted area that is not easily accessible by the public.

3. 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) All NSW legislation may be found at: www.legislation.nsw.gov.au

4. 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) The permits section via toll free number: 1300-362-562,
http://www.police.nsw.gov.au/services/firearms/permits/prohibited_weapons_permits/collector

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. Persons who possess a shooters licence may possess and use ammunition relevant to the categories of firearms authorised by their licence. Persons wishing to collect ammunition must obtain an ammunition collectors permit or a purchase and sell ammunition permit.

b. Persons who possess a firearms dealer licence may possess ammunition relevant to the categories of firearms authorised by their licence. Persons wishing to collect ammunition must obtain an ammunition collectors permit or a purchase and sell ammunition permit.

c. Persons wishing to collect ammunition, but not possess or use firearms, must obtain an ammunition collectors permit or a purchase and sell ammunition permit.

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 above, persons cannot collect ammunition as a firearms licence holder. The licence authorises to possess and use ammunition for firearms to which their licence relates ONLY. Persons wishing to collect ammunition, but not possess or use firearms, must obtain a ammunition collectors permit or a purchase and sell ammunition permit (see email attachments).

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) The following information forms just part of the Instructions to Applicants for an Ammunition Collection Permit. I have extracted some relevant points:

a) The permit holder is NOT authorised to undertake commercial trade in ammunition and must ensure that any ammunition that forms part of the collection is disposed of ONLY to a licensed firearms dealer or the holder of an Ammunition Collectors permit, or police.

b) The permit holder is not authorised to collect any ammunition that contains high explosive, smoke, chemical or lachrymatory properties or agents.

c) All ammunition forming part of this collection must be rendered inert, except any sporting or military ammunition of UN Hazard Classification Code 1.4S in it's original packaging up to 20mm.

d) You must specify the storage location of the ammunition.

e) Provide details of the safe keeping arrangements you have in place to ensure secure storage of ammunition in your collection.

f) Provide written acknowledgement that any ammunition, where required, has been or will be rendered inert (ie ammunition other than any sporting or military of UN Hazard Classification Code 1.4S up to 20mm calibre).

g) You must describe the ammunition to be collected.

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

(8) All ammunition must be stored in a locked receptacle other than that containing firearms.

Note: Firearms collectors must ensure that the ammunition is not stored in the area or room where the firearms are stored.

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

(9) No.

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 is defined in section 4 of the *Firearms Act 1996* as:

"*ammunition*" includes:

(a) any article consisting of a cartridge case fitted with a primer and a projectile, or

(b) any article consisting of a cartridge case fitted with a primer and containing a propelling charge and a projectile, or

(c) blank cartridges, airgun pellets, training cartridges or gas cartridges, or

(d) any other article prescribed by the regulations for the purposes of this definition.

Components are not separately regulated and until assembled and falling within the definition of ammunition, the safe storage requirements are not applicable.

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

(11) There are presently no statutory requirements for the transportation, commercial or non-commercial, of ammunition. Despite this, the Firearms Registry highly recommends that all ammunition is stored in a locked receptacle, other than that containing the firearm when transporting ammunition.

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) The NSW legislation does not specifically mention artillery projectiles, however Schedule 1 Prohibited Weapons Prescribed Safe Storage does list as following: Clause (1A)(1) Any bomb, grenade, rocket, missile or mine or other similar device (such as tear gas canister) that is in the nature of, or that expels or contains explosive, incendiary, irritant, gas or smoke and whether or not it is live, has been deactivated or is spent. 'Bomb' includes a device known as an Improvised Explosive Device (or IED). A Prohibited Weapons Permit is required.

There is also a requirement to be a member of a Weapons Collector Organization if collecting Prohibited Weapons.