

TASMANIA

Update 12/4/2023

Comments in red by Senior Sergeant Phil Burton, Firearms Services, (03)6173 2228 on 12 April 2023.

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)? Or any other collecting society. (Arms collectors Guild of Tas) Etc.

(1) Yes. This authority to collect ammunition is conditional on the collector being and remaining a member of an approved society or club, the members of which collect ammunition and is to cease automatically if the collector ceases to be such a member; the relevant club must be a Tasmanian club approved by the Commissioner under the *Firearms Act, 1996*, therefore clubs outside of Tasmania would not support a Tasmanian Collector. Conditions may be set by the Commissioner of Police.

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 105, Firearms Act 1996

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) **105. Sale and possession of ammunition**

1. A person must not sell or supply ammunition for a firearm to another person unless –

a. the other person –

(i) is the holder of a licence for a firearm which takes that ammunition; or

(ii) is authorised by the Commissioner in writing to buy it; and

b. the person selling or supplying the ammunition has seen the licence or authority of the other person; and

c. the person selling or supplying the ammunition is –

(i) a firearms dealer; or

(ii) an employee of a firearms dealer; or

(iii) authorised by the Commissioner in writing to sell or supply the ammunition.

Penalty: Fine not exceeding 50 penalty units.

2. A person must not acquire ammunition for any firearm unless –

a. the person –

(i) is the holder of a licence for a firearm which takes that ammunition; or

(ii) is authorised by the Commissioner in writing to acquire it; and

b. the amount of ammunition that is acquired during any prescribed period does not exceed any prescribed amount.

3. A person must not possess ammunition unless the person –

a. is the holder of a licence for a firearm which takes that ammunition; or

b. is a collector of ammunition and is authorised by the Commissioner in writing to possess that ammunition.

4. The Commissioner must not authorise a person to sell or supply ammunition unless satisfied that the person intends to do so in a remote area.

See: www.thelaw.tas.gov.au

A person can make application for exemption from the commissioner of police to collect ammunition or for large “militaria” (shells etc) - (however we are currently reviewing our Exemptions processes to ensure Exemptions Issued are In accordance with the capacities permitted In the Act and for the time being, Exemptions relating to collection of Ordnance will not be progressed).

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) FAS Office (03) 61732720 - Correct

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 May only buy ammunition of the category for which they are licensed.

b May buy and sell ammunition.

c May buy, sell and trade ammunition either with a firearms dealer or another collector, dependent on the conditions set out on their licence or Authority.

If you have cat A and B on your licence you can buy any type of ammunition for those categories also cat H (or you must apply and be granted an exemption by the commissioner of police to collect ammunition) It's not firearm related.

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) A firearms licence only allows possession of ammunition for firearms they have registered.

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) Not applicable.

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

(8) Any ammunition for a firearm must be stored in a locked **container and kept separate from any receptacle containing a firearm**. It is also a condition of their authority that the collector must take all reasonable precautions to ensure that the ammunition is safely and securely stored so as to not present a danger and to avoid the possibility of theft.

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

(9) The collector is not to hold excessive amounts of examples of each type, calibre and head stamp of ammunition. **(Unless you have been granted an exemption by the Commissioner of police) - exemption is irrelevant, the collection cannot be excessive - assessed on Individual case - can the collector justify possessing 200 of the exactly the same thing? Possibly only if the type was exceedingly rare, If it was a common type of ammunition, why would a collector need a large number of examples of a specific type?**

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) Yes, *ammunition* is classed as:

- a. anything consisting of a cartridge case fitted with a primer and a projectile; or
- b. anything consisting of a cartridge case fitted with primer material and containing both a propelling charge and a projectile; or
- c. any blankfire cartridge, airgun pellet, training cartridge or gas cartridge; or
- d. any explosive component of ammunition; or
- e. any other prescribed article;

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

(11) Unless a firearms dealer, a person must not mail any ammunition to someone in the mail or receive it in the mail. In addition a person may only deliver possession of any firearm, firearm part or ammunition to another person in person or by means of a person who ensures the security of the ammunition during the course of its delivery.

Ammunition is also to be kept in a closed container away from the firearm at all times.

Can take 10kg of ammo on the ship in a locked container, fill out the appropriate form on line prior to travel, and hand over the container on boarding, works well and you collect at the other end.

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 aerial bomb casings & inert mines?

Anything 20mm and over must be inert, empty or inactive, grenades, mortars, rocket launchers, large projectiles etc must be empty inert, but you do need an exemption from the commissioner of police.

Just had the election in Tasmania, a new Police minister has been appointed (Michael Fergusson) so there is no news re legalisation at this time, as all previous legalisation is sitting in Hobart and waiting for the new minister to look at it. (We hope the new minister will continue with the previous minister's attitude and help). Same comment here re Exemptions for Ordnance. Pretty much still the same - a new Minister - Felix Ellis, and a bunch of amendments proposed, Militaria licence not in current round being considered.