



Victoria Government Gazette

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Subordinate Legislation Act 1994

NOTICE OF PREPARATION OF REGULATORY IMPACT STATEMENT (RIS)

Firearms Regulations 2008

Regulatory Impact Statement

Notice is given that, in accordance with section 11 of the **Subordinate Legislation Act 1994**, a Regulatory Impact Statement (RIS) has been prepared in relation to the Firearms Regulations 2008.

The proposed Regulations provide an operational framework to give effect to key elements of the **Firearms Act 1996**, including prescribing fees for firearms licences, permits and approvals.

Broadly, the proposed Regulations seek to promote public safety and peace, while balancing the needs of legitimate firearm users and owners. Specifically the proposed Regulations prescribe:

- requirements for activities for the suppression of pest animals using category C longarms;
- the particulars to be entered on the register of transactions kept by licensed firearms dealers;
- the particulars to be entered on the register kept by licensed firearms collectors;
- fees for the issue and renewal of licences and permits and for the issue of duplicate licences under the Act;
- the maximum fee that may be charged by licensed firearms dealers acting as agents in firearms transactions;
- offences in respect of which infringement notices may be issued;
- devices that do not fall within the definition of firearms;
- bodies that may nominate persons to represent shooting organisations on the Firearms Appeals Committee;
- the manner in which searches without warrant under the Act are to be conducted and the particulars to be included in records of those searches; and
- matters necessary or expedient to be prescribed for giving effect to the Act.

The proposed Regulations remake the Firearms Regulations 1997, which are due to expire on 21 April 2008. The proposed Regulations are to a great extent identical to the current Regulations, although some regulations have been redrafted to improve their clarity. The key change contained in the proposed Regulations relates to a new schedule of fees, which were subject to a review and calculated on a full cost-recovery basis. In addition, seven new penalty infringement offences have been included as a result of recent changes to the **Firearms Act 1996**.

The RIS examines the costs and benefits of the proposed Regulations and assesses alternatives to the proposed Regulations. The RIS concludes that the benefits of the proposed Regulations outweigh their costs, and that none of the alternatives provides a practicable means of achieving the proposed Regulations' objectives.

Copies of the RIS and the proposed Regulations may be obtained from the Justice Policy Branch, Department of Justice by phoning (03) 8684 1010 (between 9.00 am to 5.00 pm), or may be accessed via the internet at <http://www.justice.vic.gov.au>

Public comments and submissions are invited on the proposed Regulations. All submissions will be treated as public documents. Written comments and submissions should be forwarded to Ms Mary-Anne MacCallum, Senior Legal Policy Officer, Justice Policy, Department of Justice, GPO Box 4356QQ, Melbourne, Vic. 3001 or emailed to Mary-Anne.MacCallum@justice.vic.gov.au by no later than 5.00 pm 17 March 2008.

SPECIAL

This notice is in lieu of the Notice of Preparation of Regulatory Impact Statement for Firearms Regulations 2008 that was published in Special Gazette No. S 34 on 8 February 2008. The Notice of Preparation of Regulatory Impact Statement for Firearms Regulations 2008 that was published on 8 February 2008 is withdrawn. The Department of Justice identified a number of technical errors in the exposure draft of the proposed Firearms Regulations 2008, as advertised on 8 February 2008, in respect of the fee amounts shown for some licences and one permit. The errors are rectified. The Department apologises for any inconvenience caused.

Dated 15 February 2008

THE HONOURABLE BOB CAMERON, MP
Minister for Police & Emergency Services

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