



Victoria Government Gazette

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Subordinate Legislation Act 1994

(Section 12)

NOTICE OF DECISION

Firearms Regulations 2008

The Firearms Regulations 1997 will sunset on 21 April 2008. The Regulations provide an operational framework to give effect to key elements of the **Firearms Act 1996** (the Act), including the prescription of fees payable for an application for a licence, permit, approval or authority under the Act, and requirements that must be fulfilled before shooting can take place on certain types of land.

Notice of a Regulatory Impact Statement in respect of the proposed Firearms Regulations 2008 was published in *The Age*, and the *Herald Sun* on 9 February 2008 and the *Government Gazette* on 8 February 2008. That notice of Regulatory Impact Statement was withdrawn due to a technical error and re-advertised in *The Age*, and the *Herald Sun* on 16 February 2008 and the *Government Gazette* on 15 February 2008. The closing date for submissions was 17 March 2008.

A total of 221 public submissions were received in relation to the Regulatory Impact Statement and proposed Regulations. Having considered the submissions I have decided to make the proposed Regulations with the following amendments.

Fees

Fees in the Exposure Draft of the proposed Regulations were set on a full cost recovery basis and removed existing cross-subsidies in the fees charged under the current Regulations. The fees proposed included reductions to some types of fees, and a substantial increase in others. The firearms industry gave feedback that the cross-subsidies should be retained. It is proposed that each fee under the Schedules be increased by 2.5% (except where this would result in an increase of less than a dollar). This will achieve recovery of the costs of processing licences, permits and approvals but will distribute those costs more evenly across the firearms community, whilst still achieving the principle of full cost recovery.

Proposed Regulation 6 – requirements for the suppression of pest animals

The current regulation imposes several restrictions, including prior notification to a police station where a farmer uses their firearms on another primary producer's property for the purposes of pest suppression.

Stakeholders gave feedback that these requirements are impracticable in their current form, and that compliance rates are low. It is proposed to amend this regulation to align the requirements for the use of firearms in this context with some of the key requirements that apply to sport or target shooting activities on private property. The requirements to inform police of the place and date that the activity will occur will be removed, and replaced with requirements that the activity does not occur within 250 metres of a dwelling or 100 metres of a public road.

SPECIAL

Proposed Regulation 14 – cap on dealers’ fees for acting as agents.

Currently the regulations prescribe a maximum fee of \$10 that dealers can charge for this function. Stakeholders and police gave feedback that the fee was too low and should be increased. Based on advice from the Victorian Firearms Consultative Committee, it is proposed to increase the cap to a maximum of \$25. The regulation gives dealers the discretion to charge less than the maximum.

Proposed Regulation 22 – conduct of shooting activity on private property.

This regulation applies to sport or target shooting on private property, not approved ranges. However, stakeholders argued its application was unclear and that it purported to regulate the conduct of all shooting activity on private property. In order to clarify its scope, it is proposed that the heading of the regulation be amended to include a reference to ‘sport and target shooting’.

BOB CAMERON, MP
Minister for Police and Emergency Services

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