

STORAGE AND SECURITY OF FIREARMS (other than paint-ball firearms and deactivated firearms)

Aggregate number of firearms	Minimum security level and requirements
1-19 firearms (category A or B firearms only)	Level 1 safe; or <i>Prescribed safe</i> if licence holder on 1 July 2017 (needs written confirmation of Registrar).
1-19 firearms (where at least one firearm is a category C, D or H firearm)	Level 2 safe; or Level 1 safe (needs written confirmation of Registrar); or <i>Prescribed safe if existing licence holder on 1 July 2017</i> (needs written confirmation of Registrar).
20-34 firearms (firearms of any category, but must be less than 30 category H)	Level 2 safe with the premises installed with a working CCTV system <u>or</u> working intruder alarm system.
35-49 firearms (firearms of any category, but must be less than 30 category H)	Level 2 safe with the premises installed with a working CCTV system <u>and</u> a working intruder alarm system.
50+ firearms of any category; or 30+ category H firearms	Strongroom with the premises installed with a working CCTV system and a working intruder alarm system.

Examples

1. Licensee A has 5 category A firearms. They must be secured in a Level 1 safe unless written confirmation from the Registrar authorises use of a Prescribed safe (licence holder on 1 July 2017).
2. Licensee B is a new licence holder and obtains a category H firearm to use at a firearms club. The firearm must be secured in a Level 2 safe.
3. Licensee C has 12 category A firearms and licensee D has 10 category B firearms which they secure in the family home. Together they hold 22 firearms and so would require the minimum of a Level 2 safe with either a CCTV system or an intruder alarm system (paint-ball firearms and Registrar approved deactivated firearms are not included in these counts).

TRANSITIONING FIREARMS SECURITY UPGRADES

If you have a firearms licence on 1 July 2017 and your firearm security arrangements do not comply with the new security requirements detailed above (including that you do not store your firearms in a *Prescribed safe*) you will have a transition period to upgrade your security arrangements. So long as you secure your firearms in compliance with the Firearms Regulations 2008, you will have a full 12 months, until 1 July 2018, to upgrade your security.

Storage of collector firearms

As well as complying with the requirements above, a firearm collector must ensure that each firearm held under the licence that was manufactured after 1900 is kept secured by locking the bolt, breech block or firing pin of the firearm in a container kept securely from the firearm; or by immobilising the trigger of the firearm by trigger lock; or in *another manner approved by the Registrar*. Collector firearms still require written approval of the Registrar to be fired.

Joint storage of firearms and ammunition

If you are permanently residing at, or occupying a premises with another licensee, you may secure your firearm(s) in a safe or strongroom where the other licensee is securing their firearms, but you must secure your firearm(s) in a separate locked compartment of the safe or strongroom; or secure them with a separate cable or device which prevents another licensee from unauthorised access. Ammunition can also be jointly stored in this manner when kept in a separate locked compartment or container within the safe or strongroom preventing unauthorised access.

Short-term, temporary storage of firearms and ammunition

When you are in possession of your firearm(s) and away from the place where your firearm(s) are normally kept (e.g. away from home on a hunting trip) you must secure your firearm(s) or ammunition by using the best means *reasonably available* to you in the circumstances.

TRANSPORT OF FIREARMS AND AMMUNITION

When you are transporting a firearm(s) or ammunition in a vehicle, vessel or aircraft:

- the firearm must be unloaded;
- all reasonable precautions must be taken to prevent the firearm or ammunition from being lost, stolen or coming into the possession of an unauthorised person;
- the firearm or ammunition must be securely locked in any available boot, glove box, cupboard, compartment or container in which the firearm or ammunition may be locked;
- where more than 1 such compartment or container, etc. is available the firearm(s) and ammunition must be secured separately unless it is not reasonably practicable in the circumstances, or to do so would not be utilising the best security means available;
- if not in a locked compartment, etc. the firearm or ammunition must, so far as reasonably practicable, be covered, concealed or otherwise placed out of sight;
- unless not reasonably practicable or unlawful, firearms or ammunition must not be transported in a container marked such that indicates it contains a firearm or ammunition.

Your firearm must not be left in an unattended vehicle, vessel or aircraft unless you have a reasonable excuse in the circumstances; and the vehicle, etc. is securely locked; and not left unattended for longer than is reasonably necessary in the circumstances.

EXEMPTIONS

A number of devices, including children's toys and captive bolt guns, are still exempt from the provisions of the Act and Regulations – refer to regulations 5, 42, 43 and 44 of the Regulations.

In some circumstances, a person, including an interstate visitor, is exempt from holding a firearms licence in South Australia when in possession of a firearm. Further information on these exemptions can be found at section 8 of the Act and regulations 39 and 40 of the Regulations.

REPORTING OBLIGATIONS

If you are residing at or accessing premises where a firearm is kept, and you reasonably suspect another person who resides at or has access to that premises is suffering from a physical or mental illness, or another circumstance, which poses a threat to any person because of the presence of the firearm, you must advise the Registrar as soon as practicable of your suspicions.

If you know that another person has failed to secure their firearm(s) or ammunition in compliance with the Act or Regulations you must also advise the Registrar as soon as practicable.

It is important to note that you incur no civil or criminal liability in making a report in good faith, however the making of a false or vexatious report is an offence.

NOTIFICATIONS TO REGISTRAR

You must notify the Registrar of:

- the loss, theft, destruction or alteration of your firearm(s) within 24 hours of becoming aware (oral report to police) and within 7 days in writing (to the Registrar on a PD309);
- a change in your name or address (written notice to the Registrar within 14 days);
- disposal of your firearm(s) to a person outside South Australia (written notice to the Registrar within 7 days).

FURTHER INFORMATION

Further information is available from the South Australia Police website at www.police.sa.gov.au

To contact SAPOL's Firearms Branch:
Email: sapol.firearmsbranch@police.sa.gov.au
Phone: 7322 3346



WHAT DO I NEED TO KNOW?

This information is provided to assist you to understand your obligations under the Firearms Act 2015 and Firearms Regulations 2017. As a summary of the key provisions of the legislation only, it should be read in conjunction with the Act and Regulations.



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The following is a synopsis of information you must know concerning the operation and effect of the legislation including key areas such as categories of firearms and firearms licences, how to acquire and register firearms and new storage and security requirements.

CATEGORIES OF FIREARM

A	Air guns; paint-ball firearms; rim fire rifles (not being self-loading); shotguns (not being self-loading or pump action); break action combination shotgun and rim fire rifles.
B	Muzzle loading firearms (not being handguns); revolving chamber rifles; centre fire rifles (not being self-loading); multiple barrel centre fire rifles (not designed to hold additional rounds in a magazine); break action combination shotguns and centre fire rifles; all other firearms (except prescribed, handguns, self-loading firearms or pump action shotguns) that are not category A firearms.
C	Self-loading rim fire rifles having a magazine capacity of 10 rounds or less; self-loading or pump action shotguns having a magazine capacity of 5 rounds or less.
D	Self-loading rim fire rifles having a magazine capacity of more than 10 rounds; self-loading centre fire rifles; self-loading or pump action shotguns having a magazine capacity of more than 5 rounds.
H	Handguns (not being prescribed firearms).
P	Prescribed firearms, including automatic firearms, are defined in section 5 of the Act and regulation 7 of the Regulations.

Deactivated firearms: the status of deactivated firearms remains unchanged – they are those which have been examined by the Police Armoury Section **and** certified by the Registrar of Firearms (Registrar). Although they must now be registered to a licensed owner, they are not subject to the same security requirements as other firearms and licence applications will be fee free if made in the first 12 months from 1 July 2017.

Antique firearms remain exempt from the requirements of the Act if manufactured prior to 1900; and are kept solely for curiosity, display, ornamental or investment purposes; are not used to fire projectiles; and:

- in the case of a firearm other than a category H firearm – is designed to fire breech loading cartridges, and is a firearm the ammunition for which is not ordinarily available for purchase by retail in Australia; or is not designed to fire breech loading cartridges; **or**
- in the case of category H firearms – is a handgun designed or altered to fire by means of a flintlock, matchlock, wheel-lock or other system used prior to the use of percussion caps as a means of ignition.

LICENCES

It is illegal to have possession of a firearm without holding a firearms licence authorising possession of that firearm, unless it is exempted by the Act, Regulations or the Registrar. You must familiarise yourself and comply with all conditions of your licence and those set out in section 18 of the Act and Part 2, Division 2 of the Regulations.

If you are in physical possession or control of a firearm, or are supervising the use of a firearm, you must carry your firearms licence or a legible copy (which can include an electronic copy).

CATEGORIES OF LICENCE

A firearms licence will be endorsed with the category (or categories) of licence for which a licensee can possess or use a particular category of firearm. These licence categories include:

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|------------------------|-----------------------|---------------------|
| 1. Shooting Club | 5. Primary Production | 9. Shooting Gallery |
| 2. Target Shooting | 6. Security Guard | 10. Collector |
| 3. Hunting | 7. Contract Shooter | 11. Dealer |
| 4. Paint-ball Shooting | 8. Commercial Range | 12. Miscellaneous |

JUSTIFICATION FOR A LICENCE

You must be a fit and proper person to hold a licence and have a genuine reason to possess a firearm to which an application relates. You may be required to provide additional information or documentation to support your application.

ACQUISITION OF FIREARMS

You must be authorised by a permit to acquire a firearm. You cannot supply a firearm to another person who is not authorised to acquire the firearm by an approved permit, but defences now exist regarding acquisition and supply through an oral loan agreement (for a maximum of 10 days) or written loan agreement (for a maximum of 28 days) between you and another licensee if the terms of agreement are complied with. Refer section 22(5) of the Act and regulation 52 of the Regulations.

Prescribed process for acquisition of a firearm

In order to lawfully acquire a firearm you must submit an application for a permit to acquire it. A PD306 form (which is available on SAPOL's website) must be completed and approved prior to you taking possession of the firearm. You may submit the form at a police station or by post to *The Registrar, Firearms Branch, GPO Box 1539, ADELAIDE SA 5001*.

If your application is for a firearm, other than a category A, you must set out your genuine need to acquire the firearm which cannot be met by a firearm already in your possession. If you can't demonstrate such genuine need for that firearm, your application will be refused.

If your application is approved by the Registrar, the endorsed PD306 will be returned to you to enable you to acquire the firearm. The transfer of possession to you must be done through the agency of a licensed dealer, or be witnessed by a *prescribed person*, who must sight your licence and the approved permit and then complete the 'Witness to Transfer' section of the permit.

REGISTRATION OF FIREARMS

How to register a firearm

Any firearm you acquire must be registered. Within 14 days of taking possession, you must attend a police station to apply to register the firearm, and at that time produce to police:

- the approved permit to acquire the firearm, including the completed 'Witness to Transfer' section (unless being undertaken at the same time as registration);
- a valid firearms licence;
- the firearm subject to the application;
- the registration application fee.

Following processing, a registration certificate will be forwarded to you.

POSSESSION, ACQUISITION AND ASSEMBLY OF AMMUNITION

Ammunition is that suitable for use in a firearm, and includes a cartridge case fitted with a live primer and a projectile, a cartridge case fitted with a live primer and containing a propelling charge and a projectile, and live primers, propellants and blank cartridges. Ammunition does not include inert blank cartridges/drill rounds, snap caps or items designed to fit in the breech or chamber to prevent damage to the firing pin, paint-balls or air pellets.

Ammunition offences

Ammunition can only be acquired, owned or possessed by you if you hold a firearms licence authorising possession of a firearm of a category designed to fire that ammunition (not including a collectors licence); or an ammunition permit granted under section 32 of the Act.

FIREARM SECURITY

When not in use, your firearm(s) must be unloaded and stored in a safe or strongroom.

You must ensure the key, key code or electronic combination, etc. to a safe or strongroom does not come into the possession or knowledge of an unauthorised person.

Where a firearm of any category (other than a paint-ball firearm or deactivated firearm) is stored in an outbuilding (e.g. a shed) a minimum Level 2 safe must be used to store the firearm (unless you are entitled to use a *Prescribed safe*).

The level of security required by you is dependent on the categories and total number of firearms being permanently kept at your premises by all licensees. You will need approval of the Registrar (Firearms Branch) to change your manner of firearm security.

SECURITY OF FIREARMS AND AMMUNITION

Firearms and ammunition storage location

Unless approved otherwise by the Registrar, firearms and ammunition must be stored at your principal place of residence; or if you possess the firearm for the purpose of your business, your principal place of business. Written advice to the Registrar is required prior to a change of location.

Ammunition storage

Ammunition must be stored separately from firearms in a strongly made timber, metal, fibreglass or injection moulded hard thermoplastic container with a substantial locking and hinge mechanism.

Firearm storage devices

Unless entitled to utilise a *Prescribed safe*, you must only store firearms in one of the following storage devices, depending on the category and number of firearms possessed:

Level 1 safe	minimum of 2 mm thick steel sides and door
Level 2 safe	minimum of 3 mm thick steel sides and door
Strongroom	floor, ceiling and walls constructed of reinforced concrete / besser blocks or double brick to minimum thickness of 140 mm. Door made of steel (10 mm solid sheet structural grade mild steel or 3 mm thick solid sheet cut resistant steel with chemical composition of minimum 12% manganese and encased within, or reinforced by, solid sheet timber of minimum of 40 mm thick)

Safes and strongrooms are required to be built to minimum specifications (e.g. certain locks and hinges required) or *in some other manner approved by the Registrar* – for further information refer to clauses 2 and 11, Schedule 1 of the Firearms Regulations or the Firearms section on SAPOL's website.

Prescribed safe

A *Prescribed safe* is a steel safe with a minimum of 1.6 mm thick steel sides and door. While it does not meet the required minimum standard (2 mm thick steel sides and doors) required under the new legislation, it was commonly made and sold in past years. Often referred to as a '16 gauge' safe, existing licensees who are using these safes to store their firearms may be able to continue to use them subject to certain conditions.

If prior to 1 July 2017, you owned and used a safe that is constructed of steel of a minimum of 1.6 mm thick (16 gauge safe), you may notify the Registrar in writing of your possession of that safe and your intention to continue to use it to store up to 19 firearms of any category (instead of being required to use a Level 1 or Level 2 safe). You will be permitted to use that safe for security of up to 19 firearms only if you have notified the Registrar (Firearms Branch) in writing before 1 July 2018 and the Registrar has confirmed in writing receipt of your notification.