

FIREARMS ORDINANCE 1973

1613

No. 56 of 1973

An Ordinance to amend the *Firearms Ordinance* 1956 as amended

[Reserved 18 July, 1973]

[Assented to 3 October, 1973]*

BE it ordained by the Legislative Council for the Northern Territory of Australia as follows:—

1. This Ordinance may be cited as the *Firearms Ordinance* 1973. Short title

2. The *Firearms Ordinance* 1956 as amended is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance

3. Section 9 of the Principal Ordinance is amended by omitting sub-section (1.) and inserting in its stead the following sub-section:— Registration of firearms

“(1.) Subject to this section, the Registrar or a deputy registrar may, upon receipt of a fee of Twenty-five cents, register a firearm produced to him for registration if he is satisfied that—

- (a) the person by whom, or on whose behalf, the registration is sought has an adequate understanding of the law of the Northern Territory relating to the use of firearms;
- (b) that person has not been convicted of an offence against this Ordinance and sentenced to a term of imprisonment for that offence;
- (c) that person has not been convicted of an offence, otherwise than under this Ordinance, arising out of or in connexion with his possession or use of a firearm and sentenced to a term of imprisonment for that offence;
- (d) the firearm is not owned by a person who is under the age of sixteen years; and
- (e) the firearm is safe and fit for use.”.

* Notified in the *Northern Territory Government Gazette* No. 41 of 11 October, 1973, page 369.

Firearms
capable of
discharging
drugs, &c.

4 Section 9A of the Principal Ordinance is amended by inserting after sub-paragraph (i) of paragraph (b) of sub-section (1.) the following sub-paragraph:—

“(ia) has an adequate understanding of the law of the Northern Territory relating to the use of firearms;”.

Cancellation of
registration of
firearms

5. Section 10 of the Principal Ordinance is amended by inserting after sub-paragraph (a) of sub-section (1.) the following paragraph:—

“(b) that the owner of a firearm does not have an adequate understanding of the law of the Northern Territory relating to the use of firearms;”.

6. After section 11 of the Principal Ordinance the following section is inserted:—

Use of firearms

“11A.—(1.) A person shall not use or be in possession of a firearm if—

- (a) he has been convicted of an offence against this Ordinance and sentenced to a term of imprisonment for that offence;
- (b) he has been convicted of an offence, otherwise than against this Ordinance, arising out of or in connexion with his possession or use of a firearm and sentenced to a term of imprisonment for that offence;
- (c) he is under the age of sixteen years; or
- (d) the firearm is unsafe for use.

“(2.) The owner of a registered firearm shall not permit another person to use or have the firearm in his possession if he has reasonable cause to believe that—

- (a) the other person is a person who is not entitled to use or be in possession of a firearm by reason of sub-section (1.);
- (b) the firearm is unsafe for use; or
- (c) the other person has not an adequate understanding of the law of the Northern Territory relating to the use of firearms.

Penalty: For a first offence, One hundred dollars or imprisonment for one month, or both, and for a second or subsequent offence, Four hundred dollars or imprisonment for four months, or both.”.

7 Section 13 of the Principal Ordinance is amended by omitting paragraph (c) of sub-section (2.) and inserting in its stead the following paragraph:—

Application for permit to purchase or hire a pistol or high powered firearm

“(c) an applicant for a permit to purchase a high powered firearm—

- (i) is a person who has attained the age of sixteen years;
- (ii) understands the law relating to the registration and use of firearms;
- (iii) is able to read and write the English language; and
- (iv) is a member of a Rifle Club.”.

8. Section 18A of the Principal Ordinance is amended by inserting after paragraph (c) of sub-section (2.) the following paragraph:—

Employee's permit to carry, &c., licensed pistol

“(ca) has an adequate understanding of the law of the Northern Territory relating to the use of firearms;”.

9. Section 19 of the Principal Ordinance is amended by inserting after sub-paragraph (iii) of paragraph (a) of sub-section (2.) the following sub-paragraph:—

Applications for pistol licence or high powered firearm licence

“(iv) understands the law relating to the registration and use of firearms;”.

10. Section 20 of the Principal Ordinance is amended by inserting after paragraph (a) of sub-section (1.) the following paragraph:—

Revocation of pistol licence or high powered firearm licence

“(aa) that the holder of a pistol licence or high powered firearm licence does not understand the law relating to the registration and use of firearms;”.

11. Section 22B of the Principal Ordinance is amended by inserting after paragraph (c) of sub-section (2.) the following additional paragraphs:—

Applications for collector's licence

“(ca) understands the law relating to the registration and use of firearms;

“(cb) is able to read and write the English language;”.

12. Section 22c of the Principal Ordinance is amended by inserting after paragraph (a) of sub-section (1.) the following paragraphs:—

Revocation of collector's licence

“(aa) does not understand the law relating to the registration and use of firearms;

“(ab) is unable to read or write the English language;”.

Exemptions

13. Section 44 of the Principal Ordinance is amended by adding at the end thereof the following sub-section:—

“(4.) The provisions of this Ordinance do not apply to or in relation to a person or body corporate having the control or management of a museum or other premises approved by the Administrator in Council in respect of the possession of a firearm that, to the satisfaction of the Registrar, has been rendered permanently incapable of being fired, while the firearm is kept in the museum or premises or under the control of that person or body corporate.”.

**Onus of proof
of exemption**

14. Section 45 of the Principal Ordinance is amended—

- (a) by inserting before the word “twelve” the word and letter “eleven A,”; and
 - (b) by omitting the words “or either” and inserting in their stead the words “or any”.
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