

FIREARMS ACT PENALTIES

As at 6 APRIL 2014

NOTE: If the offence does not appear here then you have no jurisdiction to “determine” the charge (s3 Criminal Procedure Act)

SECTION	OFFENCE	FINE (\$)	IMPRISONMENT	REMARKS
15B(1)	Failure by accredited society of collectors to notify Commissioner of Police of the name of member expelled and reason for expulsion	8 000	2 years	
19 (1) (a),(b),(c)	<p>Person who-</p> <p>(a) sells, delivers, disposes</p> <p>(b) purchases or comes into possession</p> <p>(c) is in possession of firearm or ammunition without a licence or permit: exceptions - s19(1ae) or 19AA otherwise provides or s8 applies</p> <p>Note S19AA-</p> <p>(1) If the offence is committed by the holder of a licence which has expired but is renewable and the offence would not have been an offence but for the expiry the offence is not indictable but triable summarily.</p> <p>(2) If the firearm or ammunition is that for paintball the offence is not indictable but triable summarily.</p>	<p>See below</p> <p>2 000</p> <p>2 000</p>	<p>See below</p>	<p>Subject to s19AA</p> <p>Limitation period s23A (2yrs)</p> <p>See s19(1ae)- does not apply to possession of ammunition under s30(2) as agent</p> <p>S8 –exemptions from licensing.</p>

SECTION	OFFENCE	FINE (\$)	IMPRISONMENT	REMARKS
19 (2)	<p>A person who-</p> <p>(a) sells, delivers, disposes or permits another to take possession of firearm or ammunition</p> <p>(b) purchases or otherwise comes into possession of firearm or ammunition from another</p> <p>(c) permits another to possess a firearm or ammunition</p> <p>commits an offence if the other person does not have a licence or permit unless it is a disposal of ammunition under s30(2) or s 8 applies</p> <p>Penalty:</p>	12 000	3 years	<p>Limitation -See s23A (2yrs)</p> <p>See s8 –exemption from licensing</p> <p>NOTE: IF A HANDGUN – NO JURISDICTION TO DEAL WITH IT</p>
19 (5)	Operating a shooting gallery	2 000		
21 (2)	Breach of condition, limitation or restriction of licence	6 000	18 months	
22A (2)	Failure to keep & produce licence	1 000		
22A (3)	Failure to keep & produce licence when obtaining ammunition	1 000		
22B	Failure to deliver up licence or permit	1 000		
22C (1)	Alters, possess altered, parts possession of licence or is fraudulent	2 000		Limitation-see s23A (2yrs)
23 (1)	Permitting drugged or intoxicated person to have firearm	6 000	18 months	
23 (2)	<p>In possession of firearm whilst affected by drugs or alcohol</p> <p>- loaded</p> <p>- otherwise.</p>	<p>8 000</p> <p>6 000</p>	<p>2 years</p> <p>18 months</p>	

SECTION	OFFENCE	FINE (\$)	IMPRISONMENT	REMARKS
23 (7)	Possess silencer	12 000	3 years	Subject to s 23(7a) –see s23(6) above
23 (8)	Pointing firearm	12 000	3 years	See s23 (8a) –does not apply to paintball
23 (9)	(a) Failing to take precaution; (b) permits possession to person under 18, (c) discharges across road, (d) fails to provide adequate or prescribed storage or otherwise safeguard from loss or improper use (e) refuse police inspection of storage facility	1 st -2000 Subs – 4 000	12 months	Limitation -see s23A – s 23(9)(a) & s23(d) only (2yrs).
23 (9a)	Discharging causing fear	12 000	3 years	
23 (10)	Use firearm on private land without consent	2 000		
23 (10a)	Carry firearm on primary producer's land without consent	2 000		See s23(10b) – permit under Wildlife Cons Regs no excuse
23 (11)	General penalty under act & regulations	2 000		
23 (12)	Admitting a minor under 16 to paintball venue when not accompanied by parent or guardian.	1 000		See defence – s23(13)
24 (6)	(a) Failing to answer questions, (b) misleads police, (c) fails to produce licence or permit	4 000		Limitation period for s24(6)(b) only-see s23A (2yrs)
30 (4)	Obtaining ammunition otherwise than in conformity with the Act	4 000		
30A (3)	Sending firearm or ammunition by post	2 000		

SECTION	OFFENCE	FINE (\$)	IMPRISONMENT	REMARKS
30B (1)	Failure to report loss or destruction of firearm or ammunition	2 000		General penalty –s23(11) Limitation-see s23A (2yrs)
30B(2)	Failure to report disposal of firearm outside the state	2 000		Limitation-see s23A (2yrs)
31 (2)	Failure to compile maintain & furnish records- dealers	4 000		
31 (2a)	Maintaining, compiling, furnishing or producing record knowing it to be misleading or incorrect	4 000		
31 (3)	Failure to facilitate examination of firearms and ammunition in respect to which records must be kept or otherwise held under an Ammunition Collector's Licence	4 000		
32	Dealer failing to secure firearms 1 st offence Subsequent	4 000 8 000	2 years	
34 (3) (d)	Regulations penalties	Up to 2 000		Current maximum is 1 000 see Reg 23

NOTES:

1. S 28 – on conviction for any offence (except where owner not committed offence) Court may order forfeiture to the Crown (State)