



»« Firearm Owners United »«

To, Portfolio Committee No. 5 - Legal Affairs

I write to you today regarding the inquiry into the provisions of the Firearms and Weapons Legislation Amendment (Criminal Use) Bill 2020. Our organisation has some serious concerns regarding certain aspects of this bill were it to be passed by parliament.

The bill as drafted has a broad definition of what constitutes a firearm precursor, and this will undoubtedly capture activities of a non-nefarious nature. The fundamental nature of manufacturing technologies is that most articles are of a general nature and no specific technology outside of rifling sees an exclusive use within the firearms world. To regulate forging, milling, turning, and casting equipment, as well as hand tools and computer software is so broad as to effectively render near every person within NSW in possession of firearm precursors.

Furthermore we have concerns around the broad terminology applied to manufacturing, given fitting and finishing are typical part of the manufacturing process. This broad catch all clause in 51J (2)(a) could potentially capture a lawful owner of a firearm, refinishing a firearm or engaging in minor fitting and polishing of surfaces to improve function.

Such activities are commonly undertaken within the community, and though it seems unlikely they would be prosecuted, this legislation does seem to criminalise such conduct. Furthermore because of the broad definition of a firearm precursor, the possession of hand and power tools or even finishing and polishing compounds, easily lends themselves towards assisting in the prosecution of a relatively routine and mundane activity.

Whilst the Minister has stated that this bill does not criminalise legitimate firearms owners, no such statement is made in the bill itself. We believe our concerns could be rectified in large part, if a provision made it clear that licensed firearm owners who have a need to make a part or minor modifications to a registered firearm (or firearm exempt from registration under the Act) are not captured by Section 51J & 51K.

We appreciate your consideration of our submission in this matter.

Regards,
Kirk Yatras
Vice-President
Firearm Owners United

United We Stand