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From: Sporting Shooters Association of Australia Tasmania (Inc) - SSAATAS

### **Subject: FIREARMS AMENDMENT (MISCELLANEOUS) BILL 2026. Draft Consultation Response**

#### **Introduction**

The Sporting Shooters' Association of Australia (Tasmania) Inc. (SSAATAS) welcomes the opportunity to make this submission on the Firearms Amendment (Miscellaneous) Bill 2026. SSAATAS is the state body of the Sporting Shooters' Association of Australia (SSAA), which was established nationally in 1948 with SSAATAS forming in 1969.

Nationally, the SSAA now represents more than 180,000 members across some 440 clubs, making it the country's premier sports shooting body representing licensed firearm owners. In Tasmania, the Association represents over 6,700 members and firearm owners and supports the responsible use and storage of firearms for a safer community through its network of branches, ranges, and clubs across the state, including the State Range Complex at Runnymede.

Given this longstanding role representing licensed shooters, hunters, collectors and sports shooting clubs in Tasmania, SSAATAS has a direct interest in the practical, safety, and administrative implications of the proposed amendments, and offers the following comments to assist the Government in its consideration of the Bill.

#### **Overview**

It is the opinion of SSAATAS that several items that are proposed for amendment in the *Firearms Act (1996)*, are a kneejerk reaction (i.e. needing to be seen to be doing something) by the Government, proposed without any clear evidence of improvement.

It is also our opinion that some of the drafting of this amendment;

- a)** is clumsy and will cause significant legal angst and confusion if adopted;
- b)** does not account for the consequences that the drafting introduces in other existing sections of the Act.
- c)** The existing Act is already notorious for being drafted in haste and without expert input. Unfortunately, some of what is in this proposed Bill repeats the mistakes of long ago, and it is a pity the Minister did not draw on the knowledge of his Consultation Committee to reduce this occurring.

It is our intention in this submission to address all three of these areas in detail, by working through our issues in mostly sequential or related order.

**1) Nominated Storage Location and Section 46 (bb)**

It is hard to know where to commence when addressing both the drafting and the illogical notion that somehow this “real time storage requirement” will help public safety.

Perhaps a rewind to the process undertaken by Firearms Services, in consultation with stakeholders some years ago that that produced Information Sheet 29 would be useful. This document gives clear guidelines between transporting and securing firearms when “In Use” i.e., not in the place nominated by a license holder as “normal storage”, as has been the current requirement. Sheet 29 resolved difficulties that had arisen and had resulted in ridiculous prosecutions or attempts to do so.

The proposed nominated storage definition **MUST** contain a broad recognition of a concept of ‘In Use’. ‘In use’ is not just a brief hunting trip, or a day at the range down the road, as suggested by supporting documentation, but a broader understanding of firearms activities.

Turning to the proposed 46(bb), the requirement is to advise changed storage if a firearm is lodged at a residential address for more than 24 hours. This is a preposterously simple idea, that creates a pointless administrative process (and a trap for licensees) for a zero-sum result for public safety. It is exceedingly difficult to understand how this makes any sense – the concept of **storage** should be focused on the “usual place of lodgement when not in use” rather than some **transactional** point in time. The transaction encouraged in Sheet 29, is to use another person’s storage to meet Section 84 (1); storage must have a notion of relative permanence to make this Act (and the NFR) in any way workable.

To clarify the proposal situation, SSAATAS would suggest to add after firearm, in the definition of *Nominated Storage*; *storage in terms of 46 (bb) does not include transportation or “in use” for a genuine reason, as per a firearms licence, when the firearms(s) are absent from the existing notified address, and the intention is to return the firearms(s) to the normal place of residence or other nominated long term storage after the period of use is completed.*

**2) Straight Pull Action Firearm** – The definition proposed is general to the point that the action of “pull” could also include pump action firearms, a term used elsewhere in the Act but not defined. Pull is also not defined in the amendments and a common definition (which may be used by a magistrate) of “pull” is **exert force on (someone or something) so as to cause movement towards oneself**: there is a potential conflict and ambiguity with the cycling of a pump action.

A simple Google search comes up with a better definition “Operated by a rear bolt handle, toggle, or direct linear lever located near the receiver trigger area” or “A firearm is a straight pull repeating action firearm if the firearm is operated by movement of a bolt or handle along a single linear axis (that is, without rotation)” as per Australian Customs Notice No. 2026/02.

A more global response to the reclassification to a more restricted level of straight pull, button and lever release centrefire rifles and shotguns, is that SSAATAS objects to this action proposed by the Government. As with a number of other elements of this package, it is our view that this move is a case of being seen to do something, rather than an action based on good evidence.

3) **Verify** – In general, verification of anything seems like a reasonable idea to protect an individual's interests. However, sub-section a) is potentially extremely onerous when used in the context of S2) sub-section a) for an ordinary licensee in relation to lending a firearm. There is a vague reference to a process that will be available at some point to become the "*approved manner*". However, until this is clearly enunciated, we are concerned of the potential risk to our members. In most circumstances the sighting of a licence should be a satisfactory requirement.

4) **S14 SS (1) (a)** - Air rifles should not be restricted to a 10-shot magazine. A number of modern air rifles have greater than 10 shot magazines and given the low power and lack of potential this addition does not make any sense.

5) **S28 Residency and Citizenship Requirements.** In our view the proposed citizenship requirement is nonsensical. Just as one example, if a recently read number is true, that there are approximately 700,000 Chinese permanent residents in Australia who haven't taken citizenship because China does not recognise dual citizens. It could be argued that to deny a licence to this class of persons is at best discriminatory or even racist if one was woke enough. Perhaps temporary visa holders should be restricted (not prohibited) in the ability to get a licence, but for others, especially those who have clearly committed long term to this country, the proposal is an abomination, made even more strange given it was initially proposed and introduced by a left leaning Government, who are usually outspoken in championing the cause of minorities.

To reinforce this view regarding the proposal, I quote (with permission), some lines from an individual submission shared with us; "*This decision carries significant personal, legal and financial consequences. It may affect long-established family interests, inheritance rights, existing property ownership and other legal rights in my country of origin. These are profound life decisions that extend far beyond the purpose of firearms legislation.*"

As a counter, there is a broad power for the Commissioner to exempt non-citizens as part of this change. However, given the current Tasmania Police's (TasPol) administration's response to issuing exemptions, SSAATAS has little confidence that legitimate existing and future permanent residents will get a fair hearing under this power, and deserving members of our Association and the community more broadly, will get a raw deal under these proposals.

At this point we note that legal professionals who advise us, consider exemptions to be a poor legislative practice. The Act is already full of these. Please make more sensible decisions and reduce the need for exemptions to a minimum.

6) **S53 S(2) ss(ab)– Suspension of Licence** – Licence suspension has long been controversial for two reasons; the lack of an appeal mechanism and Firearms Services having some history of just rolling them over at the end of six months. Being exempt from appeal, there is no due process available to stop them continuing this rollover scam. Now seeking a 12 month period based on health reasons (still without appeal) appears to be an attempt to further disenfranchise licence holders. SSAATAS strongly objects to this proposed amendment.

7) **S57 – “at last 7 days before”**; The change to this section in regard to change of particulars on a licence is quite unreasonable and without any sort of consideration of potential mitigating factors. There needs to be an inclusion of an extenuating circumstances provision. Put simply, what if a licensee’s house burns down and they have to move at short notice? They cannot meet the requirements, and we don’t agree that charging or prosecution is then a TasPol or DPP discretion in extenuating circumstance. Clarification is what is required.

Additionally, this provision seems at odds to the proposed S 46 (ba)? There seem to be two different rules for similar circumstances. Which has precedent? This needs to be closely examined.

We also comment that the proposed change of 46(ba) to a short window of plus or minus 24 hours to advise of a name or address change, seems to be some sort of a “comfort” move for TasPol that in reality will mean little, just put our members at greater risk of prosecution.

8) **S 121A Lending and borrowing firearms**. A provision to formalize this practice has long been sought, however it seems apparent that the drafters of this clause, given the definitions in Section 3, did not have an understanding of current circumstances around clubs and club firearms use.

Existing licence requirements, mean that a single nominated club member (usually a member of the club’s Executive) is often the registered “owner” for club firearms. The firearms may then be put in the safe keeping of appropriate range officials for use at appropriate times and for appropriate disciplines. It would be most unreasonable to expect that a single person could be available to do this for many and varied days and disciplines.

Under the proposed broad definitions of lend or borrow, as soon as the club official has passed a firearm over to another official to take to the range, the borrow / lend clause is triggered and the firearm cannot be used on the range by another person, as this would amount to a prohibited “on-lend.” The definitions of “lend” and “borrow” need to be amended to be more specific to exclude the making available of firearms for the purposes of training or competing on an approved firing range or at an approved handgun, rifle or shotgun club.

The drafters have also overlooked how this relates to “**trafficking**”. A recent Supreme Court appeal by TasPol unequivocally ruled the necessary collection and/or receipt of borrowed firearms (i.e. not stolen) is trafficking, an indictable offence. At fault in the Act is the definition of “trafficking”; it is defined in an unusual way that catches more than intended and it needs to be amended otherwise these provisions will be in conflict.

9) ***Mandatory Sentencing for Theft.*** Mandatory sentencing provisions were attempted to be inserted but were thrown out by the Legislative Council in the last major review of the Act around a decade ago. The Legislative Council instead inserted provisions to elevate such matters to the Supreme Court, which has greater powers of sentencing. Have these powers ever been used?

SSAATAS cannot support mandatory sentencing based around the broad notion of “*Possession*” as defined in the existing Act. It was clear from a submission to the Legislative Council on the previous occasion, that this opened the door to serious perverse outcomes regarding potential domestic violence offences and / or the jailing of innocent parties. According to the summary notes there is an “out” if the court thinks the sentence is unjust, however recalling from previous, the bar for this is exceedingly high and the chances of an innocent person be jailed remains.

If mandatory sentencing was restricted to those who were directly linked to burglaries, aggravated burglaries or events where firearms were stolen, then the notion may have some merit. There is clearly some relationship here as well with “*trafficking*”, as opposed to broad possession and this needs to be revisited in conjunction with the borrow / lend issue.

## **Other Matters for Consideration**

This consultation response thus far has concentrated on the Draft Bill, however SSAATAS takes this opportunity to address some other matters immediately consequential to the tabling of the amendments or to significant issues that should be addressed.

- **No Caps or Limits on Firearms Ownership**

Some political parties and individual politicians have a view that limits proposed or set in other jurisdictions should be legislated. It is also clear that other jurisdictions see this as window dressing and won't proceed on this matter. We support the latter view and the current position of the Government.

SSAATAS is unable to identify any peer-reviewed research, government evaluation, or reported crime data that establishes a link between the total number of firearms held by a single licence holder and any measurable public safety outcome, such as rates of firearm theft, misuse, homicide, or suicide.

The risk factors that are consistently associated with firearm-related harm — inadequate storage, theft, diversion to unlicensed persons, and the mental or behavioural fitness of the individual owner — are already addressed through Tasmania's existing licensing, storage, and category-based possession requirements, and bear no logical relationship to the raw quantity of firearms an already-vetted, compliant licence holder happens to own.

A collector, primary producer, or competitive shooter who lawfully owns multiple securely stored firearms used for legitimate purposes presents no greater risk to the community than one who owns one; the relevant safeguard is compliance with storage and security obligations, not an arbitrary ceiling on numbers. In the absence of any evidentiary basis demonstrating that

such a cap would reduce firearm-related harm, SSAA Tasmania submits that this measure would impose a significant practical and financial burden on licensed collectors, farmers, and sports shooters and the **Government** (i.e. taxpayer) without delivering any corresponding benefit to public safety.

- **Suppressors**

SSAATAS supports the introduction of a legislated clear pathway for suppressors (sound moderators) for eligible licence holders, bringing Tasmania into line with jurisdictions such as New South Wales, which already permit their possession under permit. Under current Tasmanian law, it is an offence to keep, possess, sell, acquire or manufacture a firearm sound suppressor, defined as any implement designed to suppress the sound caused by the discharge of a firearm, a blanket prohibition that is increasingly out of step with the evidence on hearing conservation and worldwide adoption of these items.

Tribunals in other jurisdictions have heard expert evidence that the sound levels produced by firearm discharge are sufficient to cause permanent hearing loss even from infrequent use, and suppressors are recognised internationally as a practical harm-reduction device rather than a tactical or criminal accessory. For Tasmania's primary producers, professional shooters, recreational hunters and target shooters, permitting suppressors would meaningfully reduce the risk of occupational hearing damage while also easing noise-related friction between shooters and neighbouring landholders or communities.

Notably, neither the 1996 nor the 2017 National Firearms Agreement makes any mention of suppressors, moderators, or silencers, meaning Tasmania's current prohibition is a matter of state policy choice rather than a requirement of the national scheme, and reform would not place Tasmania in breach of its NFA obligations. SSAA Tasmania submits that a permit-based framework — consistent with the model already operating in NSW — would allow suppressors to be issued to appropriately licensed and vetted individuals for legitimate purposes, delivering a genuine public health and amenity benefit without compromising the integrity of Tasmania's firearms licensing system.

- **Relaxation of the 250 metre rule for some classes of firearms to allow for peri-urban small mammal and bird control**

In recent times there has been widespread angst from individuals, the public and Government around pest management in peri urban areas. These areas are now significant refuges for populations of animals such as rabbits due to multiple control barriers.

SSAATAS submits that the current blanket 250 metre discharge restriction from a dwelling house, while appropriate as a default safety standard for centrefire rifles and some shotguns, is unnecessarily inflexible when applied to lower-powered classes of firearm used for small mammal and bird control in peri-urban and semi-rural settings.

Under the *Firearms Act 1996*, it is an offence to discharge a firearm within 250 metres of a dwelling house except on an approved range or with the consent of the occupier. This rule was

designed with the ballistic range and penetrating power of centrefire rifles in mind, yet it is applied uniformly to low-powered air rifles, rimfire firearms, and small-bore shotguns that have a far shorter effective and dangerous range and are commonly and safely used elsewhere for close-quarters pest control.

Purpose-built low-power firearms are specifically designed for controlling vermin such as rats, mice, rabbits, and pest birds in and around sheds, barns, and residential curtilage, precisely because their limited range and reduced penetration make them safe for use at distances well inside 250 metres.

In Tasmania's peri-urban areas, this restriction leaves landholders and small-acreage owners with few lawful options to manage rodent, rabbit, and pest bird incursions close to buildings, often forcing reliance on poisons or other less humane and less environmentally sound control methods.

SSAATAS recommends that the Bill provide for a graduated distance requirement — calibrated to the class, calibre, and demonstrated safe range of the firearm concerned, and subject to occupier consent where relevant — to permit safe and effective small mammal and bird control closer to dwellings, consistent with the practical realities of pest management in built-up and semi-rural Tasmania.

- **Clarity around ammunition sales and lending firearms with appropriate ammunition**

SSAA Tasmania recommends the Bill provide express clarity around the interaction between the Act's ammunition supply provisions and the lawful lending of firearms between licensed persons, an area where the current framework creates unnecessary ambiguity and compliance risk for clubs, mentors, and family members.

Under the current framework, only a licensed firearms dealer or an employee of a dealer may sell or supply ammunition to another person, subject to a narrow exception for remote-area authorisation, and an advertisement offering ammunition for sale can likewise only be made by, or arranged through, a licensed dealer.

These provisions are appropriately targeted at commercial sale and supply, but the Act does not clearly distinguish that scenario from the common and legitimate practice of a licensed firearm owner lending a firearm — together with a modest, immediately usable quantity of the correct ammunition — to another eligible licence holder for supervised use at a range, a club event, junior mentoring on permit, or other genuine reason that the Act allows.

As currently drafted, this leaves genuine uncertainty as to whether providing a small number of rounds alongside a lawfully lent firearm could be construed as unlawful "supply" of ammunition, exposing licensees, coaches, and landholders to unintended non-compliance, despite no commercial transaction taking place and no increase in risk to public safety.

SSAATAS recommends the Bill insert a clear, defined exception confirming that a licensed person may provide another eligible licence holder with a reasonable, non-commercial quantity

of ammunition appropriate to a lawfully lent firearm, without this constituting a sale or supply requiring a dealer's licence.

This would remove an unnecessary source of legal uncertainty for clubs and individuals while preserving the Act's existing controls on commercial ammunition sale and bulk supply.

## **Concluding Comments**

SSAATAS notes that it supports some proposed changes to the *Firearms Act 1996*, that will address long term concerns, and it continues to support the Government's principle focus on targeting criminal use of firearms.

However, SSAATAS cannot support the proposed citizenship changes, restrictive reclassifications of firearms, and blanket mandatory sentencing merely based on the broad definition of possession.

Furthermore, the drafting of these amendments in some key areas, have for whatever reason, left a lot to be desired and SSAATAS hopes that the issues that we have identified will be accepted and corrected to not make this *Act* more cryptic than it already is.



**Redacted**

SSAA Tasmania