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High Performance Large Calibre Firearms

Recently, there have been a number of inaccurate rumours and accounts circulating within the broader firearms community that SAPOL via the Firearms Branch has banned all high performance large calibre firearms and is in the process of seizing these firearms and not offering compensation to the registered owners.

THIS IS INCORRECT.

BACKGROUND

For a number of years, ownership and use of high performance large calibre firearms, such as the 50 BMG calibre firearms have been restricted across all Australian jurisdictions. Some exceptions exist to this for certain collectors and collections, museums, research and development or where the firearm has been deactivated.

In recent times, some firearm manufacturers have introduced derivatives of the .50 calibre BMG which in some instances, has been seen as an attempt to circumvent ownership restrictions on .50 calibre BMG imposed by various countries, including Australia.

As the result, two firearms, a Steyr .460 calibre and a Barrett .416 calibre firearm were identified as having been inadvertently registered within SA. As a result, the owners of these firearms were visited and the two firearms were seized. At the same time, a Weatherby converted to a .338 Lapua Magnum was also seized.

The original Purpose of Use (POU) was given, at the time of registration of these firearms as being for Club Use, target shooting and hunting. After further consideration, it was deemed that these firearms could not be used for the three stated POU's in a safe manner.

Club Use

At the present time, there are no firearms club ranges that meet the range safety template that would be required to fire these firearms. A club that allowed a member to fire a calibre of this nature might find that their insurance would be invalid if a person were to be injured or property damaged by the use of these firearms. It may also jeopardise the Club's Range certificate

Target Shooting

The same principles apply in relation to target shooting (including 'sighting in' of firearms), either at a club or elsewhere.

Hunting

Due to the long range capacity of these types of firearms, they are not considered suitable (and in some instances, not safe) for hunting in SA. Questions have been asked in the past regarding the use of these firearms interstate. The Registrar of Firearms does not have the legislative authority to authorise a POU for hunting in another jurisdiction.

ILLEGAL SEIZURE

Again, contrary to the misinformation being circulated, the power to seize firearms has always been contained within the Firearms Act as has the requirements for a purchaser to provide to the Registrar of Firearms their genuine reason vide Section 15A;

15A—Reasons for refusal of permit

- (1) Subject to this section the Registrar may refuse an application for a permit to acquire a firearm of any class if he or she is satisfied that—
 - (a) the firearm is particularly dangerous by reason of its design, construction or any other factor; or
- (2) Subject to this Act, where the application is for a permit to acquire a class B firearm and the application is properly made the Registrar may only refuse the application if—
 - (a) the Registrar is of the opinion that the applicant does not have a genuine reason for acquiring the firearm; or
 - (b) the Registrar is entitled to refuse the application under subsection (1).

The authority for the Registrar to cancel a firearms registration is found at Section 24(B);

24B—Cancellation of registration

- (1) The Registrar may, by notice in writing served personally or by registered post on the owner of a registered firearm, cancel the registration of the firearm if the Registrar is satisfied that, having regard to the firearm and the current circumstances, the owner would not be entitled to obtain registration of the firearm.
- (2) A notice served on the owner of a registered firearm under this section must set out the Registrar's reasons for the cancellation.

COMPENSATION

Whilst the Firearms Act does not relate to issues of compensation, in both of the above matters of the seized firearms, the owners have been given assistance from Firearms Branch to dispose of them in a lawful manner. Two of the firearms have already been returned to a dealer on consignment for sale. Discussions are taking place with the owner of the last firearm as to its continued ownership. This will continue to be the case in any other situation where a high performance large calibre firearm is located.

WHERE TO FROM HERE?

As stated at the outset, there is no 'blanket ban' on high performance large calibre firearms within SA. However, in saying this, derivatives of the .50 calibre BMG will not, as a rule be given approval for registration.

All other high performance large calibre firearms will be subjected to the "genuine reason" and "purpose of use" tests as prescribed under the Firearms Act. Each application to purchase a firearm of this nature will be dealt with on a case by case basis.

It is recommended that Dealers ensure that any potential customer has contacted Firearms Branch and sought approval for the purchase of the firearm before committing to an order.

All Clubs should ensure that members are aware that the use of these types of firearms on their Ranges are not authorised and exceed the safety template currently in place. Should a Club wish to upgrade their Range, they are advised to contact the Range Officers at Firearms Branch to discuss their needs and the changes that will need to take place.

Your cooperation circulating this information and assistance in this matter is greatly appreciated.

If you have any further questions, please contact Firearms Branch at either SAPOL:firearmsbranch@police.sa.gov.au or by letter addressed to Registrar of Firearms, GPO Box 1539, Adelaide SA 5001



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Delegate of the Registrar
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FIREARMS BRANCH

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