

Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026

Explanatory Notes

Short title

The short title of the Bill is the Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026.

Policy objectives and the reasons for them

On 14 December 2025, two gunmen opened fire on the attendees and others at a Hanukkah celebration at Bondi Beach tragically killing 15 individuals, including a 10-year-old child.

This terrorist attack is to date Australia's most deadly act of terrorism and the second-deadliest mass shooting. It was a targeted act of hatred directed at the Jewish community which followed rising levels of antisemitic and other hate speech, violence and extremism in Australia.

The Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026 (the Bill) delivers on the Government's commitment to stronger laws which stamp out antisemitism and prevent the misuse of firearms by terrorists and criminals.

The objectives of the Bill are to:

- strengthen the prohibition of the public use of hate symbols, ensuring it effectively combats their promotion and protects community safety and social cohesion;
- prohibit the use of expressions used to incite discrimination, hostility or violence towards certain groups;
- protect faith communities by ensuring people are not intimidated while accessing places of worship;
- modernise criminal offences related to religious worship to align with contemporary drafting practices and increase maximum penalties;
- increase the maximum penalty for stealing a firearm or ammunition to 14 years imprisonment;
- introduce a new offence under the Criminal Code that prohibits acts done in preparation for, or planning, an offence likely to cause the death or grievous bodily harm of another;
- amend section 540 'Preparation to commit crimes with dangerous things' of the Criminal Code by clearly stating the offence applies in relation to dangerous or offensive weapons or instruments;
- impose as a combined suite of reforms, the strongest maximum penalties in Australia for a range of offences in the *Weapons Act 1990* (Weapons Act) to deter criminal behaviour that endangers community safety;
- introduce a specific offence prohibiting the reckless discharge of a weapon towards a building or a vehicle;

- introduce new offences within the Weapons Act prohibiting the possession and distribution of a blueprint material for the manufacture of a firearm on a 3D printer or electronic milling machine;
- prescribe additional offences as Adult Crime, Adult Time arising from the seriousness of the new offences introduced or maximum penalties imposed;
- require that a Queensland weapons licence holder must, unless limited exceptions apply, be an Australian citizen;
- broaden the scope of an individual's history that may be considered in firearms licensing decisions to include information about violent and weapons-related offences, irrespective of whether a conviction is spent or not recorded;
- strengthen the effectiveness of the Firearm Prohibition Order (FPO) scheme which is designed to deter high-risk individuals from acquiring, possessing, or using firearms;
- reform controlled operations legislation under Chapter 11 of the *Police Powers and Responsibilities Act 2000* (PPRA) to enable police to frustrate criminal activity;
- expand the scope of offences that may be investigated through the use of controlled operations, controlled activities and surveillance device warrants;
- maintain the existing electronic service provisions for official warnings for consorting and police banning notices;
- strengthen intelligence and information-sharing by formalising information sharing with the Australian Defence Force (ADF); and
- strengthen the storage requirements for category A, B, C, E and M weapons by requiring these weapons to be stored exclusively in solid steel containers.

Achievement of policy objectives

The Bill will achieve its policy objectives by implementing the reforms outlined below.

Amendments to the Criminal Code

Stamping out antisemitism

Strengthening bans on hate symbols

The Bill expands the prohibited symbols framework in chapter 7A of the Criminal Code by enabling the Minister to prescribe particular, classes of, or all state sponsors of terrorism or terrorist organisations listed by the Australian Government as a prescribed organisation in Queensland.

The existing offence under section 52D of the Criminal Code will apply to the distribution, publication or display of a symbol of a prescribed organisation, or a member of the prescribed organisation, to identify the organisation or any part of the organisation. An additional element that the person knew, or ought reasonably to have known, that the symbol was used by a prescribed organisation or its members to identify the organisation will apply. This provides a slightly higher threshold than for other prohibited symbols, acknowledging that prescribing an organisation results in the prohibition of any symbol adopted by the organisation from time to time. In practice, this constructive knowledge element will be met if a court finds that a reasonable person in the position of the defendant would have known the symbol was used by a prescribed organisation.

The existing defence of a reasonable excuse will apply to the offence. This provides a non-exhaustive list of reasonable excuses. These excuses ensure that a person does not commit an offence if their conduct is for a legitimate purpose, such as artistic, religious, educational, historical, legal, law enforcement or public interest purposes, or to oppose the ideology represented by the prohibited symbol. The legitimacy of the claimed purpose must be demonstrated as reasonable in the circumstances.

The Bill increases the maximum penalty for publicly displaying a prohibited symbol to 150 penalty units or 2 years imprisonment.

The Minister retains the ability to prescribe prohibited symbols under the existing framework established in section 52C of the Criminal Code. To ensure flexibility, the Bill enables the Minister to prescribe these symbols as graphic representations, written descriptions, or a combination of both.

Prohibiting particular expressions

The Bill introduces a new offence for the public recitation, public distribution, publication or public display of a prohibited expression. The offence applies where the conduct could reasonably be expected to make a member of the public feel menaced, harassed or offended, and the defendant does not have a reasonable excuse. It encompasses both written and spoken use of expressions, such as chants or placards at a protest.

A prohibited expression is an expression prescribed by regulation and includes substantially similar expressions to prevent people from circumventing the law through minor wording changes, where the meaning of those phrases is otherwise understood.

To prescribe an expression, the Minister must be satisfied it is regularly used to incite discrimination, hostility or violence towards a relevant group. Consistent with the prohibited symbol framework, a relevant group means groups who identify with each other on the basis of an attribute or characteristic that is, or is based on, race, religion, sexuality, sex characteristics or gender identity. This criterion acknowledges the complex histories and dual meanings of certain words and phrases, which may not always be used exclusively or in isolation to incite hate or violence. Additionally, the existing requirement to consult with the chairperson of the Crime and Corruption Commission, Human Rights Commissioner and the Police Commissioner will apply.

The non-exhaustive list of reasonable excuses is provided, replicating those in section 52D(2) of the Criminal Code which is discussed above.

The Bill sets the maximum penalty to 150 penalty units or 2 years imprisonment to reflect the seriousness of this conduct. This aligns with the increased maximum penalty for the prohibited symbols offence.

Also, the Bill empowers (via amendments to the PPRA) police officers to stop, detain and search persons and vehicles without warrant where the police officer reasonably suspects the person has committed, or is committing, the offence. If the person has evidence, the police officer is empowered to seize it. This extends the power in the same way as it currently applies for the existing prohibited symbols offence.

Protecting faith communities

The Bill amends the offence under section 206 (Offering violence to officiating ministers of religion) of the Criminal Code to remove outdated concepts, align with modern legislative drafting practices, and increase the maximum penalty from 2 years imprisonment to 5 years imprisonment. This ensures the offence is easier to understand and appropriately reflects the seriousness of this conduct.

The offence criminalises assaults on ministers of religion which hinder or prevent the minister from lawfully officiating at religious worship assemblies, religious ceremonies or performing other religious functions of their office. The Bill specifies examples of religious ceremonies, including weddings, funerals, or other rites for the burial of the deceased. It also provides examples of religious functions, such as pastoral care, religious education, or spiritual counselling. Activities that are not spiritual, namely administrative, financial, or managerial duties, are excluded. The offence is designed to apply broadly and is not limited to any specific religion.

Section 207 of the Criminal Code (Disturbing religious worship) establishes an offence for wilfully disturbing a lawful religious assembly or assaulting an officiant or attendee at such a gathering. The offence currently carries a maximum penalty of \$10 or 2 months imprisonment. It is a circumstance of aggravation if commission of the offence was wholly or partly motivated by hatred or serious contempt for a person or group based on the attributes listed in section 52B of the Criminal Code, increasing the maximum penalty to 6 months.

The Bill also amends the offence under section 207 of the Criminal Code to align with modern legislative drafting practices and increase the maximum penalty for the simpliciter offence to 20 penalty units or 6 months imprisonment, and for the aggravated offence to 1 year imprisonment, to appropriately reflect the seriousness of the conduct.

The reference to assault in the offence is removed to ensure that such conduct can be more appropriately prosecuted under other Criminal Code assault offences which carry a higher maximum penalty.

The Bill introduces a new offence to criminalise conduct at or near a place of religious worship that intimidates, harasses, obstructs, hinders or prevents access to the places by a person entering or leaving for a lawfully assembled meeting for religious worship, without a reasonable excuse. The offence carries a maximum penalty of 3 years imprisonment. The offence addresses a range of behaviours, including physically blocking access or threatening violence.

Additionally, the Bill introduces a new special case of punishment under section 469 (Wilful damage) of the Criminal Code for damage to a premises that is a place of religious worship, increasing the maximum penalty to 7 years imprisonment. This applies to any form of damage and underscores the seriousness of such offences, ensuring they are appropriately denounced. This will ensure that higher penalties apply to any damage at or to places of religious worship.

Increasing the maximum penalty for stealing a firearm or ammunition

In recognition of the seriousness of stealing firearms, and the potential risk to community safety that arises if those firearms are later used to commit other offences, the Bill increases the maximum penalty for stealing a firearm or ammunition from 10 years imprisonment to 14 years

imprisonment and omits the current circumstance of aggravation to stealing of a firearm or ammunition that requires an offender to intend that the firearm is used to commit other offences.

New offence of acts in preparation to cause death or grievous bodily harm

The Bill amends the Criminal Code by inserting a new offence prohibiting acts done in preparation for, or planning, to commit serious violence. The new offence is modelled on the offence under section 101.6 of the *Criminal Code* (Cth) ‘Other acts done in preparation for, or planning, terrorist acts’. The new offence will apply in circumstances where an offender has not decided precisely what they intend to do¹ and will be limited to the preparation for, or planning of, offences likely to cause the death of, or grievous bodily harm to, another person. The new offence will carry a maximum penalty of 14 years imprisonment.

Amendment to section 540 Criminal Code ‘Preparation to commit crimes with dangerous things’

Section 540 of the Criminal Code prohibits the making or possession of an explosive or other dangerous or noxious thing by a person who intends to commit a crime by using the thing or enable another to commit a crime by using the thing.

The Bill amends section 540 of the Criminal Code by clearly stating that the offence applies to dangerous or offensive weapons and instruments, which includes firearms, knives and other bladed items.

The phrase ‘dangerous or offensive weapon or instrument’ has deliberately been included as it is used in multiple offence provisions within the Criminal Code.

Amendments to the *Weapons Act 1990*

Increases to maximum penalties

The Bill increases the maximum penalty of certain offences within the Weapons Act to deter criminal behaviour that endangers the community. This is achieved through a focus on offences that either, due to their inherent serious nature, or their direct association with other offences, pose a high risk to community safety. For example, the offence prohibiting the shortening of a firearm may be linked to armed robberies as it is a tactic of offenders to shorten a firearm (such as a shotgun) so that it may be easily concealed and only presented when the offence is taking place. These offences are:

- Section 65 ‘Unlawfully trafficking in weapons’ of the Weapons Act;
- Section 50B ‘Unlawful supply of weapons’ of the Weapons Act;
- Section 50 ‘Possession of weapons’ of the Weapons Act;
- Section 69(1A) ‘Armourers to be licensed’ of the Weapons Act;
- Section 61 ‘Shortening firearms’ of the Weapons Act;
- Section 62 ‘Modifying construction or action of firearms’ of the Weapons Act; and
- Section 63 ‘Altering identification marks of weapons’ of the Weapons Act.

¹ *Lodhi v R* [2006] NSWCCA 121, [66].

Introduction of a specific offence prohibiting the reckless discharge of weapons towards a premises, dwelling or a vehicle

The Bill amends the Weapons Act to include a specific offence provision that prohibits the reckless discharge of a weapon towards a place that may be occupied such as a dwelling, building or a vehicle. This offence will carry a maximum penalty of 16 years imprisonment and circumstances of aggravation which elevates the maximum penalty to 20 years imprisonment if:

- the place targeted by the offender is a place of worship;
- the offender was wholly or partially motivated to commit the offence by hatred or serious contempt for a person or group of persons based on the race, religion, sexuality, sex characteristics or gender identify presumed to be held by the individual or the group; or
- the offender is a participant in a criminal organisation.

Unlawful possession and distribution of blueprint material for manufacture of 3D printed firearms

The Bill introduces offences that prohibit the possession and distribution of blueprint material for the manufacture of 3D printed firearms. These new offences will have a maximum penalty of 500 penalty units or 10 years imprisonment.

Prescribe additional offences as Adult Crime, Adult Time arising from the seriousness of the new offences introduced or maximum penalties imposed

The Bill will expand the list of offences under section 175A of the *Youth Justice Act 1992* (YJ Act) to include:

- section 398 of the Criminal Code; if clause number 15 applies;
- the new section 56A ‘Reckless discharge or weapon towards building or vehicle’ of the Weapons Act; and
- the new section 67A ‘Possession and distribution of blueprint material for manufacture of firearms’ of the Weapons Act.

Mandating Citizenship for firearms ownership

An amendment to section 10 of the Weapons Act will restrict eligibility for weapons licences to Australian citizens who reside only in Queensland. The amendment will allow a licence to be issued to an individual who is not an Australian citizen if they require a licence for the genuine reasons of sports or target shooting, or for occupation requirements including employment in primary industry, rural purposes, and for animal welfare. Limiting the ability to obtain a weapons licence to Australian citizens only, will bring Queensland into alignment with a recent agreement of National Cabinet. It will also simplify and enhance the process of conducting background checks.

Broadening the scope of considerations made by an authorised officer when making firearms licensing decisions

The Bill amends the Weapons Act to ensure that authorised officers have the legislative authority to consider all relevant aspects of an applicant’s suitability when making determinations as to whether an applicant is a fit and proper person to hold a weapons licence

or be an associate of an applicant for a dealer's licence under sections 10B(1) and 10C(1) of the Weapons Act.

The Bill addresses the Court of Appeal decision in *Commissioner of Police v XPR* [2025] QCA 93 which determined that authorised decision makers cannot consider non-recorded convictions when conducting an assessment to determine if a person is fit and proper. Additionally, the Court found that section 5 of the *Criminal Law (Rehabilitation of Offenders) Act 1986* (CLRO Act) further prohibits requiring or requesting disclosure of non-recorded convictions, except in narrowly defined circumstances not applicable under the Weapons Act. These provisions prohibit an authorised officer from asking an applicant about certain aspects of their criminal history and provides that a person has no obligation to disclose that information. This renders invalid any inquiries by an authorised officer into an applicant's criminal history under section 14(1)(a) of the Weapons Act. The amendments rectify these anomalies.

The objectives are achieved by:

- amending sections 10B(1) and 10C(1) of the Weapons Act to include a provision that an authorised officer must also consider, among other things, relevant aspects of an applicant's history to which the authorised officer has access, including history related to the carriage, discharge, possession, storage or use of a weapon; involving the use or threatened use of violence or involving the possession or distribution of blueprint material for the manufacture of a firearm on a 3D printer or an electronic milling machine. This includes convictions for which the rehabilitation period under the CLRO Act has expired or convictions for which no conviction is recorded under section 12 of the *Penalties and Sentences Act 1992* (PSA) (spent convictions); quashed or set-aside convictions, charges, discontinued charges, and the circumstances of charges or any conviction;
- amending sections 13 and 14 of the Weapons Act to clarify that an officer in charge of police or an authorised officer may make an inquiry or investigation into relevant aspects of an applicant's criminal history, including convictions for which the rehabilitation period under the CLRO Act has expired or convictions for which no conviction is recorded under section 12 of the PSA; quashed or set-aside convictions, charges, discontinued charges, and the circumstances of charges;
- ensuring that the provisions operate notwithstanding the provisions of the PSA, the CLOR Act and other legislation;
- providing for transitional regulation-making power; and
- validating previous decisions with retrospective operation, declaring that a decision made by an authorised officer made at any time before the commencement of these provisions is valid as if the provision had been in force the day the decision was made.

Firearm Prohibition Orders

The Bill amends the Weapons Act to ensure that Queensland's FPO scheme aligns with interstate jurisdictions. The amendments provide the Commissioner with the sole authority to issue all FPOs in Queensland. The criteria for the issue of an FPO have not changed.

The Bill strengthens the penalty provisions under Part 5A of the Weapons Act. The increases to the penalties reflect other increases to penalties in the Weapons Act made in the Bill. The Bill amends the search provisions under Part 5A of the Weapons Act to ensure that police have appropriate powers to detain and search other people located in the company of someone

subject to an FPO. The amendments will promote officer safety in providing police with appropriate powers to control potentially dangerous situations. The amendments align with the approach taken in Western Australia. The Bill has robust safeguards regarding the search powers to ensure they are not misused.

The Bill provides clarification regarding the role of the Public Interest Monitor (PIM) in the FPO scheme. The role of the PIM in relation to FPOs is to monitor the use of the powers.

Amendments to the *Police Powers and Responsibilities Act 2000*

Purposes for which controlled operations can be authorised

The Bill amends Chapter 11 of the PPRA. The chapter provides for the authorisation, conduct and monitoring of controlled operations. Controlled operations facilitate covert investigations into serious criminal activity in circumstances which, without the authority of the controlled operation, the conduct of police might amount to an offence. Controlled operations are effective in obtaining evidence for a range of criminal behaviours; however, they are currently limited to operations conducted for the purpose of obtaining evidence that may lead to the prosecution of a person for a relevant offence.

The Bill amends the PPRA to include a purpose of frustrating criminal activity as a purpose for which controlled operations can be authorised.

Offence thresholds for controlled operations, controlled activities and surveillance device warrant

The Bill amends the definitions which impose offence thresholds for controlled operations, controlled activities and surveillance device warrants. The definitions of “relevant offence” for a controlled operation under section 229 of the PPRA, “controlled activity offence” for a controlled activity under section 221A of the PPRA and “relevant offence” for a surveillance device warrant under section 323 of the PPRA are amended from a 7 year imprisonment offence to a 3 year imprisonment offence. Consequential amendments are made to the offences listed in Schedules 2, 3 and 5 of the PPRA.

Other amendments

Electronic service provisions for official warnings for consorting and police banning notices

Part 3, division 1, subdivision 2 of the *Queensland Community Safety Act 2024* (QCSA) introduced new section 789E of the PPRA, as a general provision for electronic service for a range of prescribed documents, listed in Schedule 5A. That general service provision is now in force for notices to appear and a range of documents served under the *Domestic and Family Violence Protection Act 2012*. An official warning for consorting and the initial police banning notice will be included in the list of prescribed documents upon automatic commencement on 31 August 2026.

The QCSA provisions providing frontline police officers with the option for electronic service were intended as an efficiency, even when accompanied by safeguards, as compared with the in-person service of documents. However, the existing electronic service provisions for official

warnings for consorting and initial police banning notices are comparatively streamlined under the PPRA.

Thus, the requirements imposed by the QCSA, represent an increased administrative burden on frontline police officers when compared to the existing streamlined scheme under the PPRA. The explanation and consent requirements under the QCSA far exceed what is required by the *Electronic Transactions (Queensland) Act 2001* to be able to serve a document electronically.

The Bill will achieve its objectives by restoring the previous legislative provisions in the PPRA prior to the QCSA amendments. The pre-QCSA service framework is flexible in its application. The amendments will enable the status quo to continue in relation to the service requirements for initial police banning notices and official warnings for consorting.

Formalise information sharing with the ADF

The Queensland Police Service (QPS) is authorised to share information held by it with other entities under the framework provided by the *Police Service Administration Act 1990* (PSAA). Section 10.2L of the PSAA allows the Commissioner to give the head of an entity prescribed as an ‘approved agency’ all or any information in a QPS database. Section 10.2G ‘Definitions for division’ of the PSAA provides that an approved agency means an entity established under the law of the Commonwealth or a State prescribed under a regulation.

The Bill amends section 67 of the *Police Service Administration Regulation 2016* by including the ADF as an approved agency.

Strengthening the storage requirements for category A, B, C, E and M weapons

Section 60 ‘Secure storage of weapons’ of the Weapons Act requires a licensee in control of a weapon to keep the weapon in secure storage facilities when a person is not in physical possession of the weapon. The *Weapons Regulation 2016* (Weapons Regulation) outline how various types of licence holders must store weapons of different categories.

Amendments in the Bill to sections 92 and 94 of the Weapons Regulation will strengthen the storage requirement for category A, B, C, E and M weapons by requiring that they are stored in solid steel containers exclusively.

Alternative ways of achieving policy objectives

The policy objectives can only be achieved by legislative reform.

Estimated cost for government implementation

Any financial impacts are to be met from within existing resources.

Consistency with fundamental legislative principles

The amendments have been drafted with due regard to the fundamental legislative principles (FLPs) in section 4 of the *Legislative Standards Act 1992* (LSA). The principles include requiring that legislation has sufficient regard to:

- the rights and liberties of individuals; and

- the institution of Parliament.

The amendments that may impact upon those principles are considered further in these explanatory notes.

Legislation should have sufficient regard to the rights and liberties of individuals – LSA, section 2(a)

Stamping out antisemitism

The amendments to the Criminal Code increasing maximum penalties for prohibited symbols, expanding the prohibited symbols framework to cover prescribed organisations, introducing a prohibited expressions offence and the changes to and new religious worship offences represent a potential departure from the fundamental legislative principle that legislation has sufficient regard to the rights and liberties of individuals (section 4(2)(a) of the LSA). This is because the Bill introduces new offences and increases penalties for existing offences, including through the creation of a new circumstance of aggravation.

A penalty should be proportionate to the offence. Legislation should provide a higher penalty for an offence of greater seriousness than for a lesser offence. Penalties within legislation should be consistent with each other.

The existing sentencing principles within the PSA will enable the court to consider the seriousness of the particular offence and impose an appropriate punishment given all the circumstances. Although the amendments may mean an offender is liable to a longer period of imprisonment than that currently available, the maximum penalty only serves as the guidepost for the most serious offending behaviour.

The potential infringement of rights and liberties of individuals by the increased penalties for offences relating to religious worship are considered reasonable and justified to protect the right to religion which is of fundamental importance in a free and democratic society.

The changes to the existing offences for the public use of prohibited symbols and the new prohibited expressions offence inhibit forms of communication. This limits several rights, including the right to non-discrimination, freedom of expression (including freedom of political communication) and cultural rights. Any limitation on these rights and liberties of individuals is dealt with in the statement of compatibility with human rights. To limit the breach and provide a safeguard, several excuses are provided to the offence. They necessarily reverse the evidential onus of proof as the defendant is best placed to provide evidence of the purpose of their conduct.

The transitional provisions provide that offences against the amended religious worship offences committed before the commencement may be prosecuted as if the amendments did not commence. This may breach section 4(2)(a) of the LSA by abrogating the statutory right under section 11 of Criminal Code. This is considered appropriate because the amendments are intended to modernise the offences, which will continue in operation and are not wholly repealed.

Increases to maximum penalties for weapons offences

The Bill increases the maximum penalty for specific offences under the Weapons Act and for stealing of a firearm or ammunition under the Criminal Code. The offence provisions under the Weapons Act are as follows:

- Section 65 ‘Unlawful trafficking in weapons’;
- Section 50B ‘Unlawful supply of weapons’;
- Section 50 ‘Unlawful possession of weapons’;
- Section 69 ‘Armourers to be licensed’;
- Section 61 ‘Shortening of weapons’;
- Section 62 ‘Modifying the construction of weapons’; and
- Section 63 ‘Altering identification marks on weapons’.

The Bill, by increasing the maximum penalty for these offences may be considered to impact upon the rights and liberties of individuals by making the subject person liable to a greater criminal sanction for non-compliance. However, these amendments are justifiable as the commission of these offences represent a high risk to community safety due to their inherent serious nature, or their direct association with other offences. For example, the shortening of a weapon may be linked to armed robberies as it is a tactic of offenders to shorten a firearm, such as a shotgun, so that it may be easily concealed and only presented when the robbery is taking place. The Bill through increasing the maximum penalties for these offences will deter criminal behaviour that endangers the community.

Introduction of new weapons offences

The Bill also introduces new offence provisions which prohibit:

- the unlawful possession and distribution of blueprint material for manufacture of 3D printed firearms (Clause 74);
- the reckless discharge of weapons towards a premises, dwelling or a vehicle (Clause 68); and
- the preparation for, or planning, an offence that would be likely to cause the death or grievous bodily harm of another (Clause 13).

The introduction of these offences may be considered to impact upon an individual’s rights and freedoms by providing criminal sanctions for activities that had not constituted a specific offence. However, these amendments are justifiable as the proposed offences represent a particular risk to community safety.

The number of 3D printed firearms coming to the attention of the police has substantially risen to account for 8% of all firearms categorised by the QPS Ballistics Unit in 2025. The concerns about these types of firearms are exacerbated as they are generally untraceable as they have no serial numbers and may be so poorly constructed that they endanger members of the community as well as the offender using the firearm.

Similarly, a specific offence for the reckless discharge of a weapon may be justified due to the inherent nature of this offence. This offence takes place within a context where the offender has a callous disregard for the welfare of others potentially in circumstances where there may be associations with organised crime or hate crime.

The introduction of a new offence regarding acts in preparation for, or planning, an offence that would be likely to cause the death or grievous bodily harm of another is justified due to the nature of the current security climate. The offence is appropriately limited to the preparation for, or planning, offences of a serious nature, which if committed, would cause significant harm to the community. The maximum penalty of 14 years imprisonment reflects the different circumstances where the offence may apply, from preparing, or planning, to cause the grievous bodily harm of one other person through to preparing, or planning, to commit a mass casualty attack. The maximum penalty is proportionate and relevant to the acts constituting the offence.

While individual liberties may be impacted through the introduction of these offences, it is considered justifiable to ensure that community safety and security is maintained.

Prescribing additional offences as Adult Crime, Adult Time arising from the seriousness of the new offences introduced or maximum penalties imposed

The Bill expands the list of offences under section 175A of the YJ Act by including:

- section 398 of the Criminal Code; if item number 15 applies;
- the new section 56A ‘Reckless discharge or weapon towards building or vehicle’ of the Weapons Act; and
- the new section 67A ‘Possession and distribution of blueprint material for manufacture of firearms’ of the Weapons Act.

The amendment may be considered to impact upon a child’s rights and freedoms by providing potentially greater criminal sanctions for these offences than may otherwise have been imposed. However, these amendments are justifiable as the proposed offences represent a particular risk to community safety and are limited to a small number of serious offences.

Amendment to s 540 Criminal Code (Preparation to commit crimes with dangerous things)

The Bill amends section 540 ‘Preparation to commit crimes with dangerous things’ of the Criminal Code to ensure the offence extends to dangerous or offensive weapons and instruments. The maximum penalty for the offence is 7 years imprisonment. The amendment recognises the community harm caused by those who prepare to commit crimes with dangerous things, including firearms, knives and other weapons.

Mandating Australian citizenship for provision of a weapons licence

Clause 56 of the Bill restricts eligibility for a weapons licence to persons who are Australian citizens only.

The amendment to mandate that a person must be an Australian citizen to be eligible for a weapons licence represents a potential departure from the fundamental legislative principle that requires legislation to have sufficient regard to the rights and liberties of individuals (section 4(2) of the LSA), in particular, their rights to property.

The decision to preclude a non-Australian citizen from obtaining a weapons licence has the potential to significantly impact individuals who currently hold a weapons licence who may be deemed no longer eligible following commencement of the new provisions. However, these amendments will ensure that appropriate security checks can be undertaken and will ensure Queensland is in alignment with an agreement of National Cabinet. The amendments have been drafted to mitigate potential infringements to the rights of individuals by providing an

exemption for non-Australian citizens who require a licence for genuine reasons such as competition sporting shooting, or employment and legitimate occupation requirements including the person's employment in primary industry, rural purposes, and animal welfare.

The potential impact of the amendment on the rights and liberties of individuals is outweighed by the benefit to the safety of the community.

Lowering the offence thresholds for controlled operations, controlled activities and surveillance device warrants

The Bill amends the offence thresholds for controlled operations, controlled activities and surveillance device warrants from 'a seven year imprisonment offence' to 'a three year imprisonment offence'. These amendments will mean that the police will be able to use those investigative powers in relation to a broader spectrum of offences. The offence threshold is just one criterion for the authorisation of a controlled operation, controlled activity and surveillance device warrant. It is important to recognise that other criteria for the use of the powers remain, along with significant oversight by the controlled operations committee and the PIM. The amendments to the offence thresholds are relevant and proportionate to current risks to the community.

The broad array of matters the Commissioner can have regard to in relation to FPO decisions

The Bill amends the definition of criminal history as that term is applied in relation to FPO decisions made by the Commissioner. In relation to those decisions, the Commissioner is making decisions based on what is in the public interest. Therefore, these amendments are both proportionate and justifiable to ensure that the decision maker can have regard to all relevant information, including the circumstances of an offence, conviction or charge.

The ability of the Commissioner to issue FPOs for 10 years (adults) and 5 years (children)

In relation to FPOs, the Bill provides that the Commissioner can issue FPOs in relation to an adult for 10 years and an FPO in relation to a child for 5 years. The ability of the Commissioner to issue FPOs for these lengths of time is consistent with interstate jurisdictions. The FPO scheme in Queensland has significant oversight, particularly the role of the PIM in monitoring the use of FPOs.

The Bill provides that the expiry of an FPO does not prevent the Commissioner from issuing a further FPO in relation to an individual. The ability to issue further FPOs is proportionate as the Commissioner will still need to ensure that the further issue of an FPO in relation to an individual is in the public interest.

Removing requirement for annual review of FPOs in relation to children

The Bill omits Part 5A, Division 5 from the Weapons Act, removing the requirement for annual review of FPOs in relation to children. The Commissioner can issue an FPO in relation to a child for 5 years. This is consistent with interstate jurisdictions. Queensland has the strictest oversight of use of FPOs for all Australian jurisdictions which will ensure FPOs issued against children are in the public interest.

Removal of the time limitation currently in section 141R of the Weapons Act

The Bill amends section 141Q of the Weapons Act and omits current section 141R of the Weapons Act regarding powers to give directions to facilitate service of FPOs. Although the Bill omits the express time limitations currently in section 141R of the Weapons Act, section 141Q of the Weapons Act is amended to ensure the time a person is required to stay at a place must be reasonable, having regard to the individual's location, circumstances and ability to comply with the direction.

Replacement of the offence warning for FPOs in section 141T of the Weapons Act

The Bill replaces section 141T of the Weapons Act regarding a requirement for a police officer to give an offence warning. The replacement provision has been drafted to ensure consistency with safeguards for directions in the PPRA. If the person fails to comply with a direction given by a police officer, there will be a requirement for a police officer to provide a warning and a further reasonable opportunity to comply with the direction.

Amendment to section 141U of the Weapons Act (Offence to contravene direction)

The Bill amends section 141U(2) 'Offence to contravene direction' of the Weapons Act to clarify when an offence is not committed against subsection (1). Amended subsection (2) of section 141U of the Weapons Act makes it clear that an offence is not committed if the subject of the FPO to which the direction relates is someone other than the individual or, when the direction was given, the FPO to which the order relates had already been served on the individual under section 141P. The amendments provide clarity to the offence provision.

Recognition of corresponding FPOs

The Bill introduces provisions which will allow for the recognition of corresponding FPOs. These amendments reflect the fact that individuals associated with organised crime operate without regard to jurisdictional borders. The approach adopted in the Bill follows the lead taken by Western Australia in the recognition and enforcement of corresponding FPOs.

Replacement of section 141ZB of the Weapons Act (Notifying commissioner of change of address)

Under current section 141ZB of the Weapons Act, a person is required to provide written notice to the Commissioner. Under the current section it is unclear how a person practically provides that written notice. The Bill amends section 141ZB of the Weapons Act by requiring a person to give the Commissioner written notice of a change of address in the way prescribed by regulation. This will provide a person with clarity regarding how to comply with the requirement. Acknowledging that the written notice will be required to be provided in a specific way, the Bill also amends section 141ZB of the Weapons Act by increasing the time for compliance from 24 hours to 7 days. Noting the seriousness of failing to comply with the requirement to notify the Commissioner of a change of address, the maximum penalty is increased to 300 penalty units or 7 years imprisonment. The amendments take a balanced approach in a proportionate and justifiable manner.

New section 141ZGA of the Weapons Act (Power to search particular persons)

The Bill introduces a new police search power under new section 141ZGA of the Weapons Act. The new power allows a police officer to stop, detain and search people located in the company of a person subject to an FPO. The search power is appropriately limited to situations where a police officer reasonably suspects that the person is committing or is about to commit an offence against the Weapons Act and possesses a firearm or firearm related item. The new provision strikes an appropriate balance between providing police with the powers to control potentially dangerous situations and the rights and liberties of individuals.

Legislation should make rights and liberties, or obligation, dependent on administrative power only if the power is sufficiently defined and subject to appropriate review – LSA, section 4(3)(a)

The Bill amends Queensland's FPO scheme so that all FPOs will be issued by the Commissioner. The Bill clearly defines the Commissioner's power to issue FPOs. The use of FPOs is overseen by the PIM. Furthermore, a person issued with an FPO can apply to the Queensland Civil and Administrative Tribunal (QCAT) for review. The Bill ensures that criminal intelligence relied on by the Commissioner to issue an FPO is protected, including as part of any review to QCAT. The Bill protects things done in relation to an FPO, even if a decision is overturned on review. The Bill ensures that the FPO scheme can be practically implemented, including appropriate limits on preventing the stay of decisions while FPOs are being reviewed.

Controlled operations are authorised by the Commissioner upon recommendation by the controlled operations committee. The Bill does not amend this administrative power. The Bill allows for the Commissioner and the controlled operations committee to consider an additional purpose for which to issue a controlled operation, namely the disruption or prevention of criminal activity.

Controlled operations involve significant oversight and control. The controlled operations committee is comprised of an independent member (a retired Supreme or District Court judge), the Chair of the Crime and Corruption Commission (CCC) or nominee, and the Commissioner or nominee. Chapter 11, Part 5, Division 2 provides a regime of reporting and record keeping, including reports to the Minister that must be tabled in the Legislative Assembly.

The power is extensively defined and subject to extensive review and reporting. It is therefore justified in the context of any potential inconsistency with fundamental legislative principles.

Legislation should be consistent with principles of natural justice – LSA, section 4(3)(b)

Concerns about the impact of fundamental legislative principles through the implementation of the FPO scheme were addressed within the explanatory notes accompanying the Queensland Community Safety Bill 2024.

Concern may be raised that Commissioner issued FPOs interfere with the principles of natural justice, which common law recognises as: the right to be heard; unbiased decision making and procedural fairness. Caution must be exercised when vesting decision making power with an administrative authority in circumstances when the decision making significantly affects the rights and liberties of the individual, particularly if the power can be delegated.

Clause 77 of the Bill impacts on a person's right to natural justice, as the Commissioner will be the decision maker for the issue of all FPOs. It must be acknowledged that FPO schemes already in force in other Australian jurisdictions in Australia empower their respective Commissioner of Police to issue FPOs if satisfied it is in the public interest to do so. The Commissioner or delegated officer, are appropriate persons to issue FPOs, recognising their skill, experience, and expertise in identifying high risk individuals and the associated risk of firearms and firearm related items.

A further concern may be raised that a person issued with an FPO will not be provided with the reasons why it was issued. Information used by the Commissioner to issue an FPO may be criminal intelligence, which by its nature, should be treated with confidentiality as its disclosure may:

- prejudice an ongoing criminal investigation;
- enable the existence or identity of a confidential source of information;
- endanger a person's life or physical safety;
- prejudice the effectiveness of a lawful method or procedure for preventing, detecting, investigating, or dealing with a contravention of an Act; or
- prejudice the maintenance or enforcement of a lawful method or procedure for protecting public safety.

Existing safeguards incorporated into the FPO scheme will be maintained. For example, the Commissioner will continue to be required to keep a register containing relevant information about FPOs such as details about the powers exercised by a police officer and descriptions of items seized through the exercise of these powers. Further, a person who has been issued an FPO may seek a review by QCAT of the decision to issue the FPO. The Bill empowers QCAT to confirm the Commissioner's decision, amend the FPO or set aside the Commissioner's decision to issue the FPO.

FPOs are designed to reduce firearm related crimes through prohibiting high-risk individuals from possessing, using or acquiring firearms. Concerns about the rights of these individuals has to be balanced against the safety of the community. The potential danger presented to the community if these high-risk individuals misuse firearms is dire, justifying these amendments.

Clause 77 of the Bill impacts on a person's right to natural justice, as the Commissioner will be the decision maker for the issue of all FPOs. Information used by the Commissioner to issue an FPO may be criminal intelligence, which by its nature, should be treated with confidentiality to protect police methodologies or the identity of confidential informants of police operations. A person who is issued with an FPO will not be provided with the reasons why it was issued. Although that is the case, there will be avenues available for a person to review decisions made by the Commissioner regarding the issue of an FPO. While a person's right to natural justice is limited by the FPO scheme, such interference is reasonably justified when balanced against the rights and interests of the community.

Legislation should not reverse the onus of proof in criminal proceedings without adequate justification – LSA, section 4(3)(d)

Clause 74 of the Bill prohibits the possession of blueprint material for the manufacture of a firearm on a 3D printer or on an electronic milling machine. This offence does not apply if the person possesses the blueprint material for use for a lawful purpose. This clause also provides defences for this offence where:

- the person did not know and could not reasonably be expected to have known, that they were in possession of the blueprint material; or
- that the blueprint material came into the person's possession unsolicited and as soon as the person became aware of the nature of the blueprint material, the person took reasonable steps to ensure they no longer possessed the blueprint material; or
- the person's conduct was of public benefit as it was necessary for:
 - enforcing or administering an Australian law;
 - monitoring compliance with or investigating a contravention of an Australian law; or
 - the administration of justice.

This clause also prohibits the distribution of blueprint material for the manufacture of a firearm on a 3D printer or an electronic milling machine. This offence does not apply if the distribution is for use for a lawful purpose. This clause provides defences for this offence where:

- the person did not know and could not reasonably be expected to have known, that they distributed the blueprint material; or
- the person's conduct was of public benefit as it was necessary for:
 - enforcing or administering an Australian law;
 - monitoring compliance with or investigating a contravention of an Australian law; or
 - the administration of justice.

The procedural rules about criminal trials are concerned with the protection of innocent persons. The prosecution is generally required to prove the guilt of an accused beyond reasonable doubt. Legislation that requires an accused person to prove innocence by affecting the onus of proof may adversely affect the rights and liberties of individuals and should be justified.

The former Scrutiny of Legislation Committee has commented upon proposed provisions that might place a burden on a defendant, as compared to the prosecution, to prove something. A number of provisions in the statute books reverse the legal onus for proving a defence or other matter by expressly placing the onus on the defendant. Generally, provisions of this kind are justifiable, if the matter to be proved by the defendant is peculiarly within the defendant's knowledge. This justification is even stronger if it would be difficult or expensive for the prosecution to disprove the matter.

An example of a straightforward reversal of the onus of proof is found in section 129(1)(c) of the *Drugs Misuse Act 1986* which requires a defendant to prove that drugs found on the defendant's premises were there without the defendant's knowledge. The defences for the proposed offences of prohibiting or distributing blueprint material for the manufacture of firearms on a 3D printer or electronic milling machine are similar in nature and consequently are justifiable. For example, substantiating a defence that the blueprint material came into the person's possession unsolicited is justifiable as the accused would have peculiar knowledge of that fact and would be best positioned to disprove guilt.

Legislation should only confer power to enter premises, and search for or seize documents or other property, with a warrant issued by a judge or other judicial officer – LSA, section 4(3)(e)

Stamping out antisemitism

The extension of the power for a police officer to stop, detain and search persons or vehicles without warrant and seize evidence of the commission of the prohibited expressions offence represents a potential departure from the requirement not to confer warrantless search or seizure powers (section 4(3)(e) of the LSA). This is considered justified for the efficient enforcement of the offence. The existing limitations and safeguards under the PPRA will apply and appropriately limit the departure.

FPOs

The FPO scheme currently enables a police officer to stop, detain and search an individual subject to an FPO, in addition to searching the individual's vehicle, relevant premises or anything else in their possession, and seizing any prohibited item. These search powers can be employed without the individual's consent, whenever a police officer considers it reasonably required to ensure the individual is complying with the FPO.

The Bill will extend the search powers that may be employed by a police officer to apply to a person who is:

- in the company of an individual who is subject to a firearm prohibition order;
- in or on a vehicle to which section 141ZF of the Weapons Act applies; or
- at a premises to which section 141ZG of the Weapons Act applies.

These search powers are limited and will only apply to a person who is reasonably suspected of committing an offence or is about to commit an offence against the Weapons Act and is reasonably suspected of possessing a firearm or firearm related item.

This amendment is consistent with similar amendments made in Western Australia and it will ensure an individual subject to an FPO will not escape police detection through employing another to carry a firearm or a firearm related item on their behalf.

Searches conducted under this amendment will be subject to all relevant legislated safeguards under the PPRA and will be also overseen by the PIM, providing a high level of accountability to ensure they are not misused.

The potential breach of a FLP is justified by the need to ensure that harm that high-risk individuals could cause to the community if permitted access to firearms is minimised.

Legislation should not adversely affect rights and liberties, or impose obligations, retrospectively – LSA, section 4(3)(g)

Clause 110 amends the Weapons Act to confirm the validity of history checks in weapons licence applications. The clause potentially infringes the principle that legislation does not adversely affect rights and liberties, or impose obligations, retrospectively.

The retrospective amendment is curative in nature. It seeks to clarify and confirm the original operational intent of the Weapons Act, which has, since its inception, been interpreted and

applied by authorised officers to include consideration of relevant aspects of a person's criminal history when assessing whether a person is a fit and proper person.

This amendment does not introduce a new standard or impose new obligations on licence holders or applicants. Rather, it restores the understanding that existed prior to the recent Court of Appeal decision, aligning the legislation with longstanding administrative practices conducted in good faith.

This is consistent with the accepted "curative and validating" exception recognised by the former Scrutiny of Legislation Committee, where the law is amended to reflect what was reasonably believed to be its meaning and application.

The amendment is regulatory. It does not create or increase criminal liability, nor does it impose any new punishment on individuals based on their past actions. The Weapons Act is a protective statute designed to regulate future risk, not to retrospectively punish prior conduct.

No person will be prosecuted or penalised for having previously applied for a licence under a different standard. Rather, the amendment simply ensures that when assessing applications or renewals, authorised officers are empowered to rely on the full factual context, as has always been the case.

This amendment does not create a retrospective duty or obligation on licence applicants or holders. It does not require any action from them in relation to their past. It merely confirms that authorised officers may lawfully consider information that already exists and has always been lawfully in their possession. It validates a statutory lens through which an authorised officer may assess public risk. It does not retrofit obligations for past conduct.

The amendment is strongly justified in the public interest. Firearms regulation necessarily engages with risk. The ability to consider past charges, spent convictions, or discontinued investigations for relevant matters enables an authorised officer to make informed and preventative decisions.

Retrospectivity in this case ensures that public safety is not compromised by a technical legal interpretation that had the effect of disabling standard operational practice that has, until now, been considered lawful and vital.

Legislation should not confer immunity from proceeding or prosecution without adequate justification – LSA, section 4(3)(h)

Clause 22 amends the purpose of controlled operations. It is a fundamental principle that legislation does not confer immunity from proceeding or prosecution without adequate justification. Immunity from prosecution within the purview of this scheme is necessary and justified.

The Bill amends Chapter 11 of the PPRA by allowing controlled operations to be issued for the purpose of frustrating criminal activity. Participants in controlled operations are provided with protections from proceeding or prosecution.

The amendments necessarily confer immunity from proceeding or prosecution for the purpose of frustrating crime as does the existing legislation for the purpose of obtaining evidence. Chapter 11 of the PPRA already provides for the authorisation of conduct that would otherwise

constitute criminal offences and confers immunity on authorised participants. This immunity is purposeful, structural and integral to a controlled operation. The immunity from proceeding or prosecution is appropriately justified so that offences of a serious nature can be investigated, disrupted and prevented.

Expanding the purpose of an operation does not enlarge the substance of the immunity. The amendments do not change the categories of persons who receive immunity nor the types of conduct for which the immunity applies. The immunity applies only to conduct authorised in advance, within scope and subject to rigorous reporting and accountability mechanisms. The amendments alter the purpose rather than the fundamental operation of any conferred immunity. It is immaterial whether the operation is for the purpose of obtaining evidence or frustrating crime, as the same immunity is required to lawfully authorise the same conduct.

Any potential inconsistency with the fundamental legislative principle is justified in that Parliament has necessarily and intentionally considered it to give structural effect to the scheme.

Legislation should authorise the amendment of an Act only by another Act – LSA, section (4)(c)

The proposed regulation-making power to prescribe organisations such that symbols used to identify the organisation are prohibited, and declare expressions as prohibited, in a regulation may potentially be considered to breach section 4(4)(c) of the LSA, which provides that a Bill must have sufficient regard to the institution of Parliament and should only authorise the amendment of an Act by another Act. This potential breach is considered justified on the basis that the approach is in the public interest, as it will allow the Minister to ensure only appropriate organisations' symbols are prohibited and quickly respond to emerging expressions associated with extremist ideology. The proposed regulation-making power includes limitations and safeguards to guide the Minister in the required decision-making prior to providing recommendations to prohibit organisations' symbols and expressions, including the requirement to consult with particular persons.

Consultation

On the provisions related to addressing antisemitism, senior members of Queensland's Jewish community were consulted as the legislation was prepared.

Consultation on the proposals in the Bill will occur as part of the parliamentary committee process.

Consistency with legislation of other jurisdictions

While the amendments in the Bill are specific to the State of Queensland and are not uniform with the legislation of the Commonwealth or any other state, state and federal governments have responded to the Bondi Beach terrorist attack by considering new measures.

A number of jurisdictions have proposed or strengthened existing bans on hate and terrorist symbols and expressions.

With respect to offences related to religious worship, different jurisdictions adopt varying approaches, with some having offences specifically targeting conduct that disturbs religious

worship and obstructs access to places of worship. As with new measures to target antisemitism and hate, a number of jurisdictions have also moved to limit access to firearms for individuals who pose a significant threat due to association with extremist ideologies or violent histories.

In developing the Bill, consideration was given to equivalent Weapons Legislation in other Australian States and Territories and the National Firearms Agreement (NFA). The Bill aligns with fundamental aspects of the NFA but is not intended to be uniform with legislation of the Commonwealth or another State.

Notes on provisions

Part 1 Preliminary

1 Short title

This clause states that, when enacted, the Bill may be cited as the *Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Act 2026*.

2 Commencement

This clause outlines when the provisions in the Bill commence.

Part 2 Amendment of Criminal Code

3 Code amended

This clause states that this part amends the Criminal Code.

4 Amendment of s 52C (Prohibited symbols)

Subsection 1 of the clause amends the heading of section 52C to ‘Prohibited symbols and expressions’.

Subsection 2 of the clause replaces the word ‘section’ with the word ‘subsection’ in section 52C(1)(a).

Subsection 3 of the clause inserts new section 52C(1)(aa) ‘used by a prescribed organisation, or a member of a prescribed organisation, to identify the organisation or any part of the organisation; or’.

Subsection 4 of the clause amends section 52C(1)(b) by omitting the words from ‘referred’ onwards and inserting the words ‘or image mentioned in paragraph (a) or (b) that it is likely to be confused with or mistaken for that symbol or image.’

Subsection 5 of the clause renumbers sections 52C(1)(aa) and (b) as 52C(1)(b) and (c).

Subsection 6 of the clause inserts new subsection (1A) to section 52C. Section 52C(1A) states that a ‘prohibited expression’ is an expression prescribed by regulation for this subsection, or that so nearly resembles such an expression that it is likely to be confused with or mistaken for that expression.

Subsection 7 of the clause omits section 52C(2)(a) and replaces it with a new section 52C(2)(a) that provides the relevant regulation must prescribe the symbol or image as a graphic representation of the symbol or image, or a description of the symbol or image, or a combination of these matters.

Subsection 8 of the clause amends section 52C(3) by omitting the words from ‘subsection (1)(a)’ to ‘image’ and inserting the words ‘subsection (1)(a) or (1A)(a) only if the Minister is satisfied the symbol or image, or expression’.

Subsection 9 of the clause amends section 52C by inserting subsection (3A). Section 52C(3A) provides the Minister may recommend to the Governor in Council the making of a regulation under subsection (1A)(a) only if the Minister is satisfied the expression is regularly used to incite discrimination, hostility or violence towards a relevant group.

Subsection 10 of the clause amends section 52C(4) by omitting the words from ‘Also’ to ‘the recommendation,’ and inserting the words ‘In addition, before recommending to the Governor in Council the making of a regulation under subsection (1)(a) or (1A)(a), the Minister must’.

Subsection 11 of the clause amends section 52C(5) by inserting a definition of ‘prescribed organisation’ by reference to section 52CA.

5 Insertion of new s 52CA

This clause inserts new section 52CA, titled ‘Prescribed organisations’, and states that a ‘prescribed organisation’ is an entity prescribed by regulation for this section (section 52CA(1)).

New section 52CA(2) provides that the Minister may recommend to the Governor in Council the making of a regulation under subsection (1) only if the recommendation is to prescribe a particular state sponsor of terrorism or terrorist organisation, or a class of state sponsors of terrorism or terrorist organisations, or all state sponsors of terrorism or terrorist organisations.

New sections 52CA(3) and (4) provide that if the Minister prescribes an entity as a prescribed organisation and the entity stops being a state sponsor of terrorism or a terrorist organisation, the entity stops being a prescribed organisation.

New section 52CA(5) defines the term ‘state sponsor of terrorism’ to mean a state sponsor of terrorism as defined in the Criminal Code (Cwlth), section 110.3(1); and the term ‘terrorist organisation’ to mean an organisation mentioned in the Criminal Code (Cwlth), section 102.1(1), definition *terrorist organisation*, paragraph (b).

6 Amendment of s 52D (Display, distribution or publication of prohibited symbols)

Subsection 1 of this clause amends the heading of section 52D to ‘Distribution, publication or display of prohibited symbols’ (subsection 1).

Subsection 2 of this clause omits section 52D(1) and replaces it with a new section 52D(1). New section 52D(1) provides that this section applies to a person if the person publicly distributes, publishes or publicly displays a prohibited symbol in a way that might reasonably be expected to cause a member of the public to feel menaced, harassed or offended.

For a relevant prohibited symbol (which is defined in a limited way in subsection 5 of the clause as symbols used to identify a prescribed organisation or similar symbols), the section only applies if, in addition to the above, the person knew or ought reasonably to have known when the person distributed, published or displayed the symbol, that the symbol was used by a prescribed organisation or a member of a prescribed organisation to identify the organisation or any part of the organisation.

Further, subsection 2 inserts section 52D(1A). Section 52D(1A) provides that the person commits an offence, unless the person has a reasonable excuse. The maximum penalty for this offence is 150 penalty units or 2 years imprisonment.

Subsections 3 and 4 of the clause update references within section 52D to reflect the new numbering within the section.

Subsection 5 of the clause inserts new subsection 6. Section 52D(6) defines, for the purposes of this section, the term ‘relevant prohibited symbol’ to mean a prohibited symbol mentioned in section 52C(1)(b), or a prohibited symbol mentioned in section 52C(1)(c) that so nearly resembles such a symbol that it is likely to be confused with or mistaken for that symbol; and the term ‘prescribed organisation’ by reference to section 52CA.

Subsection 6 of the clause renumbers sections 52D(1A) to (6) as 52D(2) to (7).

7 Insertion of new s 52DA

This clause inserts section 52DA, titled ‘Recital, distribution, publication or display of prohibited expressions’.

New section 52DA(1) provides that a person who publicly recites, publicly distributes, publishes or publicly displays a prohibited expression in a way that might reasonably be expected to cause a member of the public to feel menaced, harassed or offended commits an offence, unless the person has a reasonable excuse. The maximum penalty for this offence is 150 penalty units or 2 years imprisonment.

New section 52DA(2) provides that without limiting what may be a reasonable excuse for subsection (1), a person has a reasonable excuse if, either, the person engaged in the conduct that is alleged to constitute the offence for a genuine artistic, religious, educational, historical, legal or law enforcement purpose, or the person engaged in the conduct that is alleged to constitute the offence for a purpose that is in the public interest; and the person’s conduct was, in the circumstances, reasonable for that purpose.

New section 52DA(3) states that an evidential burden is placed on the defendant in relation to showing a reasonable excuse for subsection (1).

New section 52DA(4) provides that for subsection (1) a person publicly recites or publicly displays a prohibited expression if the person recites or displays the expression in a place that the public is entitled to use, is open to members of the public or is used by the public, whether or not on payment of money, or in a place the occupier of which allows, whether or not on payment of money, members of the public to enter; or recites or displays the expression in a way that is audible or visible from such a place.

New section 52DA(5) declares that for subsection (1) the offence is committed at the time when the person recites, distributes, publishes or displays the prohibited expression, and it is irrelevant whether or not a member of the public has heard or seen the prohibited expression because of the recital, distribution, publication or display.

New section 52DA(6) defines, for the purposes of this section, the term ‘prohibited expression’ by reference to section 52C(1A).

8 Replacement of s 206 (Offering violence to officiating ministers of religion)

This clause omits section 206 and inserts a new section 206 titled ‘Assaults of ministers of religion’ and section 206A titled ‘Intimidating or obstructing persons entering or leaving places of religious worship’.

New section 206(1) states that a person who unlawfully assaults a minister of religion and hinders or prevents the minister from lawfully officiating at a meeting of persons lawfully assembled for religious worship, or lawfully officiating at a religious ceremony, or lawfully performing another religious function of the minister’s office, commits a misdemeanour. The maximum penalty for this misdemeanour is 5 years imprisonment.

New section 206(2) states that, for the purposes of this section, the term ‘religious function’, of the office of a minister of religion, does not include an administrative, financial or managerial function of the office.

New section 206A(1) states that a person in, or in the vicinity of, a place of religious worship who, without reasonable excuse, intimidates or obstructs a person entering or attempting to enter the place to attend a meeting of persons lawfully assembled for religious worship, or leaving or attempting to leave the place after attending all or part of a meeting of persons lawfully assembled for religious worship, commits an offence. The maximum penalty for this offence is 3 years imprisonment.

New section 206A(2) provides that a reference in subsection (1)(a) to entering, or attempting to enter, a place of religious worship to attend a meeting of persons includes a reference to entering, or attempting to enter, the place before the meeting starts or before any other persons have assembled.

New section 206A(3) defines, for the purposes of this section, the term ‘intimidate’ to include harass, and the term ‘obstruct’ to include hinder, prevent and attempt to obstruct.

9 Amendment of s 207 (Disturbing religious worship)

This clause omits section 207(1) and replaces it with a new section 207(1). New section 207(1) states that a person who, without reasonable excuse, wilfully disturbs a meeting of persons lawfully assembled for religious worship commits an offence. The maximum penalty for this offence is 20 penalty units or 6 months imprisonment.

Subsection 2 of this clause amends section 207(2) by omitting the words ‘6 months’ and inserting the words ‘1 year’.

10 Amendment of s 398 (Punishment of stealing)

This clause increases the penalty for stealing a firearm or ammunition from 10 years imprisonment to 14 years imprisonment.

This clause also omits a circumstance of aggravation imposing a penalty of 14 years imprisonment for stealing a firearm with the intention that it is used by anyone to commit an indictable offence. This circumstance of aggravation is superfluous as a consequence of the earlier amendment.

11 Amendment of s 469 (Wilful damage)

This clause amends section 469 of the Criminal Code to insert new Punishment in special cases, clause 13 (Places of religious worship).

New Punishment in special cases, clause 13 states that if the property in question is premises, and the premises are a place of religious worship, the offender commits a crime. The maximum penalty for this crime is 7 years imprisonment.

12 Amendment of s 540 (Preparation to commit crimes with dangerous things)

This clause amends the offence provision under section 540 of the Criminal Code (Preparation to commit crimes with dangerous things) to provide clarity. The amendment makes it clear that the offence can be committed in relation to a dangerous or offensive weapon or instrument.

13 Insertion of new s 540A

This clause inserts a new offence provision under section 540A of the Criminal Code (Preparation or planning to cause death or grievous bodily harm). New section 540A of the Criminal Code provides that a person who does any act in preparation for or planning an offence that would be likely to cause the death of, or grievous bodily harm to, another person commits a crime. The maximum penalty is 14 years imprisonment. The new offence provision is modelled on the existing offence under section 101.6 of the Criminal Code (Cwlth) ‘Other acts done in preparation for, or planning, terrorist acts’.

14 Amendment of s 552BB (Excluded offences)

This clause omits the table entry for section 398, column 3, item 3 from section 552BB of the Criminal Code.

15 Insertion of new ch 114

This clause inserts a new Chapter 114, titled ‘Transitional provisions for Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Act 2026’ and encompassing sections 770 and 771.

Section 770 (Prosecution of prohibited symbols offence if entity stops being a prescribed organisation) applies if a person is charged with an offence against new section 52D involving a prohibited symbol used by a prescribed organisation or a member of a prescribed organisation and, before the end of the proceeding for the offence, the prescribed organisation stops being a prescribed organisation under new section 52CA(4) (subsection 1).

Section 770(2) states that without limiting section 20 of the *Acts Interpretation Act 1954*, a proceeding for the offence may be continued or started, and the person may be convicted of and punished for the offence, as if the prescribed organisation had not stopped being a prescribed organisation. This applies despite section 11 of the Criminal Code (section 770(3)).

Section 770(4) defines, for the purposes of this section, the term ‘new’, in relation to a provision of this Act, to mean the provision as in force from the commencement.

Section 771 (Proceedings for offences relating to religious worship) applies in relation to an offence against former section 206 or 207 committed by a person before the commencement (subsection 1).

Section 771(2) states that without limiting section 20 of the *Acts Interpretation Act 1954*, a proceeding for the offence may be continued or started, and the person may be convicted of and punished for the offence, as if the *Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Act 2026*, sections 8 and 9 had not commenced. This applies despite section 11 of the Criminal Code (section 771(3)).

Section 771(4) defines, for the purposes of this section, the term ‘former section 206 or 207’ to mean section 206 or 207 as in force from time to time before the commencement.

Part 3 Amendment of Penalties and Sentences Act 1992

16 Act amended

This clause provides that this part will amend the *Penalties and Sentences Act 1992*.

17 Amendment of sch 1C (Prescribed offences)

This clause omits item 14 (Stealing firearm for use in another indictable offence) of section 398 (Punishment of stealing) of the Criminal Code as this item has become superfluous due to an earlier amendment in the Bill.

This clause also expands the list of prescribed offences for the purposes of section 161N of this Act to include section 56A ‘Reckless discharge of weapon towards building or vehicle’ of the Weapons Act.

Part 4 Amendment of Police Powers and Responsibilities Act

18 Act amended

This clause states this part amends the *Police Powers and Responsibilities Act 2000*.

19 Amendment of s 30 (Prescribed circumstances for searching persons without warrant)

This clause amends section 30 of the PPRA to insert the words ‘or 52DA’ after the reference to section 52D in section 30(1)(ha).

20 Amendment of s 32 (Prescribed circumstances for searching vehicle without warrant)

This section amends section 32 of the PPRA to insert the words ‘or 52DA’ after the reference to section 52D in section 32(2)(a)(ii).

21 Amendment of s 221A (Definitions for chapter)

This clause amends the definition of ‘controlled activity offence’ under section 221A of the PPRA by lowering the offence threshold under subsection (a) from ‘a seven year imprisonment offence’ to ‘a three year imprisonment offence’.

22 Amendment of s 228 (Purposes of ch 11)

This clause amends section 228 of the PPRA, which expresses the purposes of Chapter 11 of this Act. The clause provides for the replacement of the existing paragraph (a) of section 228. The new paragraph provides that the purposes of the chapter are to provide for the authorisation, conduct and monitoring of controlled operations, including operations conducted in Queensland and other jurisdictions for any of the following purposes:

- obtaining evidence that may lead to the prosecution of persons for relevant offences;
- frustrating the commission of relevant offences.

23 Amendment of s 229 (Definitions for ch 11)

This clause amends section 229 ‘Definitions for chapter 11’ of the PPRA. Subsection (1) of the clause provides a definition of the term ‘frustrate’ to clarify that the term includes ‘disrupt or prevent’. Subsection (2) omits and replaces the definition of controlled operation. The new definition provides that a controlled operation is conducted or intended to be conducted for any of the following purposes:

- obtaining evidence that may lead to the prosecution of a person for a relevant offence;
- frustrating the commission of a relevant offence.

24 Amendment of s 230 (Relationship to other laws and matters)

This clause amends section 230 of the PPRA to incorporate the new purpose and definition of controlled operations.

25 Amendment of s 237 (Committee recommendations)

This clause amends section 237(2) of the PPRA to incorporate the new purpose and definition of controlled operations. The term existing term ‘gather’ is omitted and the term ‘obtain’ is inserted to ensure consistency with the amendments to the chapter.

26 Amendment of s 258 (Protection from criminal responsibility for controlled conduct during authorised operations)

This clause amends section 258(2)(c) of the PPRA to incorporate the new purpose and definition of controlled operations. The term existing term ‘gather’ is omitted and the term ‘obtain’ is inserted to ensure consistency with the amendments to the chapter.

27 Amendment of s 322 (Definitions for ch 13)

This clause amends section 322 of the PPRA by omitting the definition of ‘three year imprisonment offence’.

28 Amendment of s 323 (Meaning of *relevant offence*)

This clause amends section 323 of the PPRA by omitting ‘seven year imprisonment offence’ and inserting ‘three year imprisonment offence’ in subsection (1)(a). This clause also omits subsections (2) and (3) from section 323 of the PPRA.

29 Amendment of s 740 (Public interest monitor)

This clause amends section 740 of the PPRA to clarify that the PIM’s role relates to the use of firearm prohibition orders.

30 Amendment of s 743 (Monitor’s annual report)

This clause amends section 743 of the PPRA regarding the content of the PIM’s annual report. The clause omits subsections (a) to (c) and inserts subsections (a) and (b) regarding FPOs made, revoked and reviewed during a year.

31 Insertion of new ch 24, pt 28

This clause inserts new Chapter 24, Part 8 into the PPRA regarding transitional provisions.

32 Omission of sch 2, s 1AA (Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004)

This clause omits section 1AA from Schedule 2 of the PPRA.

33 Replacement of sch 2, s 1 (Classification of Computer Games and Images Act 1995)

This clause amends Schedule 2, section 1 of the PPRA. The amended section includes one offence under the *Classification of Computer Games and Images Act 1995*, being section 26(3) (Possession of objectionable computer game).

34 Replacement of sch 2, s 2 (Classification of Films Act 1991)

This clause amends Schedule 2, section 2 of the PPRA. The amended section includes one offence under the *Classification of Films Act 1991*, being section 41(3) (Possession of an objectionable film).

35 Amendment of sch 2, s 3 (Classification of Publications Act 1991)

This clause amends Schedule 2, section 3 of the PPRA. Offences under sections 17(1) and (2), 17(3) and (4) and 18 of the *Classification of Publications Act 1991* are omitted from Schedule 2, section 3 of the PPRA.

36 Replacement of sch 2, s 4 (Criminal Code)

This clause amends Schedule 2, section 4 of the PPRA. The amended section includes one offence under the Criminal Code, being section 328 (Negligent acts causing harm).

37 Omission of sch 2, s 6 (Weapons Act 1990)

This clause omits section 6 from Schedule 2 of the PPRA.

38 Omission of sch 3, s 1 (Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004)

This clause omits section 1 from Schedule 3 of the PPRA.

39 Amendment of sch 3, s 6 (Criminal Code)

This clause amends Schedule 3, section 6 of the PPRA. Offences under sections 130, 408E(1) and 470A(1) of the Criminal Code are omitted from Schedule 3, section 6 of the PPRA.

40 Amendment of sch 3, s 11 (Weapons Act 1990)

This clause amends Schedule 3, section 11 of the PPRA. Offences under sections 50(1), 57(4), 58(2), 61, 62 and 63 of the Weapons Act are omitted from Schedule 3, section 11 of the PPRA.

41 Replacement of sch 5, s 1 (Criminal Code)

This clause amends Schedule 5, section 1 of the PPRA. The amended section includes the offences under sections 406 (Bringing stolen goods into Queensland), 544(1),(2),(3) (Accessories after the fact to offences) of the Criminal Code.

42 Omission of sch 5, s 2 (Drugs Misuse Act 1986)

This clause omits section 2 from Schedule 5 of the PPRA.

43 Omission of sch 5, s 3 (Weapons Act 1990)

This clause omits section 3 from Schedule 5 of the PPRA.

44 Omission of sch 5, s 5 (Criminal Code)

This clause omits section 5 from Schedule 5 of the PPRA.

45 Amendment of sch 5, s 10 (Weapons Act 1990)

This clause amends Schedule 5, Section 10 of the PPRA. Offences under sections 50, 61 and 62 of the Weapons Act are omitted from Schedule 5, section 10 of the PPRA.

46 Amendment of sch 6 (Dictionary)

This clause amends definitions located under Schedule 6 of the PPRA. The definition of 'frustrate' is inserted to Schedule 6 of the PPRA, with a signpost to section 229 of the PPRA.

The definition of ‘three year imprisonment offence’ is replaced with the following: ***three year imprisonment offence*** means an indictable offence for which the maximum penalty is at least 3 years imprisonment.

Part 5 Amendment of Police Service Administration Regulation 2016

47 Regulation amended

This clause states that this part amends the *Police Service Administration Regulation 2016*.

48 Amendment of s 67 (Approved agencies - Act, s 10.2G)

This clause prescribes the ADF as an approved agencies allowing the QPS to efficiently share relevant information held in a QPS database with this entity.

Part 6 Amendment of Queensland Community Safety Act 2024

49 Act amended

This clause states this part amends the *Queensland Community Safety Act 2024*.

50 Omission of s 84 (Amendment of s 53BAC (Police powers for giving official warning for consorting))

This clause omits section 84 of the QCSA. The section would have amended section 53BAC of the PPRA. This section of the QCSA has not, and consequently will not, commence. The PPRA will remain unchanged in this regard.

51 Amendment of s 88 (Insertion of new sch 5A)

This clause amends section 88 of the QCSA, omitting the following items from Schedule 5A:

- Item 1 – an official warning for consorting;
- Item 3 – an initial police banning notice.

This part of section 88 of the QCSA has not, and consequently will not, commence. The PPRA will remain unchanged in this regard.

Part 7 Amendment of Weapons Act 1990

52 Act amended

This clause states this part amends the *Weapons Act 1990*.

53 Amendment of s 2 (Application of Act)

This clause provides that the Weapons Act does not apply to an individual mentioned in sections 2(1)(a)(i), (ii) and (iii), (b), (c), (d) and (e)(i) who is possessing or distributing blueprint material for the manufacture of a firearm on a 3D printer or electronic milling machine.

This clause also confirms that the Weapons Act does not apply to a government service entity or an employee of a government service entity when possessing or distributing blueprint

material for the manufacture of a firearm on a 3D printer or electronic milling machine as part of the performance of the functions of the entity or employee.

54 Amendment of s 5C (Meaning of *class C serious offence*)

Section 5C ‘Meaning of *class C serious offence*’ of the Weapons Act designates an offence under Queensland law or another jurisdiction that:

- (a) relates to the misuse of drugs; or
- (b) involves the use or threatened use of violence; or
- (c) involves the carriage, discharge, possession or use of a weapon as a ‘class C serious offence’.

A person is not a fit and proper person to hold or continue to hold a weapons licence if within 5 years of applying for the issue or renewal of the licence the person:

- (a) has been convicted of a class C serious offence;
- (b) has been released from lawful custody in relation to a conviction for a class C serious offence; or
- (c) has been subject to a supervision order in relation to a conviction for a class C serious offence.

This clause expands the offences that constitute a class C serious offence to include an offence in Queensland or elsewhere that involves the possession or distribution of blueprint material for the manufacture of a firearm on a 3D printer or an electronic milling machine.

55 Amendment of s 5D (Meaning of *disqualified person*)

Section 5D ‘Meaning of disqualified person’ of the Weapons Act provides that a disqualified person includes a person who is or has been subject to a firearm prohibition order made under section 141H.

This clause makes a minor technical amendment by omitting reference to the term ‘made under section 141H’ and does not otherwise change the meaning of this section.

56 Amendment of s 10 (Limitations on issue of licence)

Section 10 ‘Limitations on issue of licence’ of the Weapons Act sets out the requirements that must be fulfilled before a licence may be issued to an individual or a body. The requirements for an individual include that a person must be a fit and proper person to hold a licence and reside only in Queensland.

This clause expands the list of these requirements to include that the individual must be an Australian citizen. This clause provides an exception to this citizenship requirement if the person satisfies an authorised officer that the person has a genuine reason for possessing a weapon for either:

- sports or target shooting;
- an occupational requirement, including an occupational requirement for rural purposes; or
- a reason as prescribed by regulation.

57 Amendment of s 10B (Fit and proper person—licensees)

Subsection (1) of this clause inserts a new paragraph (aa) to section 10B(1) of the Weapons Act, specifying matters that must be considered by an authorised officer in deciding or considering the issue, renewal, suspension or revocation of a licence, whether a person is, or is no longer, a fit and proper person to hold a licence. The clause provides that if the authorised officer is aware a person subject to a decision or consideration has a conviction for a relevant offence that is a spent conviction, or a conviction that has not been recorded or a conviction that has been quashed or set aside, that conviction is within the scope of the section. The clause provides that the conviction and any information about the circumstances of the offence or conviction to which the officer has access are within the scope of the section.

Subsection (1) also inserts a new paragraph (ab) to section 10B(1) of the Weapons Act, specifying matters that are within the scope of the section, and therefore must also be considered by an authorised officer. If the authorised officer is aware the person subject to a decision or consideration has been charged with a relevant offence, including a charge that has been withdrawn, discharged or struck out, those matters are within the scope of the section. The clause also clarifies that the charge and any information about the circumstances of the offence or charge to which the officer has access are within the scope of the section.

The words “if the authorised officer is aware” and “to which the officer has access” in both paragraphs clarify that research for information is not necessarily continued *ad infinitum*.

Subsection (2) has a renumbering function. Section 10B(1)(aa) to (d), as amended by this Bill, is renumbered section 10B(1)(b) to (g).

58 Amendment of s 10C (Fit and proper person—licensed dealer’s associate)

This clause amends section 10C(1) of the Weapons Act as to what an authorised officer must consider in deciding or considering for the issue, renewal, suspension or revocation of a dealer’s licence, whether an associate of an applicant for a dealer’s licence or a licensed dealer is, or is no longer, a fit and proper person to be an associate of a licensed dealer.

The clause removes the discretionary ‘may’ and specifies an obligatory ‘must’ as to the decision or consideration and inserts new paragraphs (a), (b) and (c) to the section.

New paragraph (a) provides that if the authorised officer is aware the associate has a conviction for a relevant offence: including a conviction that is a spent conviction; a conviction that has not been recorded; or a conviction that has been quashed or set aside; this conviction is within the scope of the section. The clause provides that the conviction and any information about the circumstances of the offence or conviction to which the officer has access are within the scope of the section.

New paragraph (b) provides that if the authorised officer is aware the associate has been charged with a relevant offence including a charge that has been withdrawn, discharged or struck out, the charge and any information about the circumstances of the offence or charge to which the officer has access are within the scope of the section.

New paragraph (c) provides that the authorised officer must consider whether there is any criminal intelligence or other information to which the authorised officer has access that indicates that the associate is a risk to public safety or any relationship any relationship

involving weapons between the associate and the applicant or licensed dealer would be contrary to the public interest. This paragraph effectively reproduces the existing section with the change of bringing the paragraph within an obligatory “must”.

The clause also applies the words “if the authorised officer is aware” and “to which the officer has access” clarify that research for information is not necessarily continued *ad infinitum*.

59 Amendment of s 13 (Application for licence)

This clause amends section 13 of the Weapons Act regarding applications for licences.

Subsections (1) and (2) of the clause provide grammatical adjustment.

Subsection (3) inserts new paragraphs (ba), (bb) and (bc) to the section:

New paragraph (ba) provides that an application must state whether the applicant has a conviction for a relevant offence, including a conviction that is a spent conviction, a conviction that has not been recorded or a conviction that has been quashed or set aside.

New paragraph (bb) provides that an application must state whether the applicant has been charged with a relevant offence, including a charge that has been withdrawn, discharged or struck out.

New paragraph (bc) provides that an application must, if the applicant has a conviction for a relevant offence as mentioned in paragraph (c) or has been charged with a relevant offence as mentioned in paragraph (d), include details of the conviction or charge and information about the circumstances of the offence and information about the circumstances of the conviction or charge. References to paragraph (c) and (d) in this paragraph refer to the renumbered paragraphs as per subsection (5).

Subsection (4) provides grammatical adjustment.

Subsection (5) renumbers the section. Amended section 13(1)(ba) to (c) is renumbered as section 13(1)(c) to (f).

60 Amendment of s 14 (Inquiries into application)

This clause amends section 14 of the Weapons Act, which specifies inquiries into applications.

Subsection (1) of the clause provides for an amendment to section 14(1) of the Weapons Act, inserting new paragraphs (ba) and (bb).

New paragraph (ba), including subparagraphs (i) and (ii), provides that an officer in charge or authorised officer with whom an application for a licence is lodged may require the applicant to confirm whether the applicant has a conviction for a relevant offence, including: a conviction that is a spent conviction; a conviction that has not been recorded; a conviction that has been quashed or set aside; and if the applicant has a conviction for a relevant offence as mentioned, give the officer details of the conviction and information about the circumstances of the offence or conviction, other than details or information included in the application.

New paragraph (bb), including subparagraphs (i) and (ii), provides that an officer in charge or authorised officer with whom an application for a licence is lodged may require the applicant

to confirm whether the applicant has been charged with a relevant offence, including: a charge that has been withdrawn, discharged or struck out; and if the applicant has been charged with a relevant offence as mentioned, give the officer details of the charge and information about the circumstances of the offence or charge, other than details or information included in the application.

Subsection (2) of the clause has a renumbering function. Section 14(1)(ba) to (g) as amended is renumbered as section 14(1)(c) to (i).

Subsection (3) of the clause inserts new subparagraph (aa) which provides that the applicant is taken to have withdrawn the application if, within a stated reasonable time, the applicant fails to comply with a requirement under renumbered subsection (1)(c) or (d).

Subsection (4) of the clause has a reference amendment function consequential to other amendments in this section. Reference to subsection (1)(c) is amended to subsection (1)(e).

Subsection (5) of the clause has a renumbering function. The amended section is renumbered as section 14(3)(b) to (d).

61 Amendment of s 15 (Authorised officer decides application)

This clause is consequential to renumbering and reference to the amendments in this Bill. Reference in section 15(5) of the Weapons Act to ‘section 10B(1)(ca) or 10C(1)’ is replaced by reference to ‘section 10B(1)(f) or 10C(1)(c)’.

62 Amendment of s 18 (Renewal of licences)

This clause is consequential to renumbering and reference to the amendments in this Bill. Reference in section 18(7) of the Weapons Act to ‘section 10B(1)(ca) or 10C(1)’ is replaced by section 10B(1)(f) or 10C(1)(c). Reference in Section 18(9) of the Weapons Act to ‘(2)(c) to (g)’ is replaced by reference to ‘(2)(c) to (h)’.

63 Amendment of s 28 (Suspension of licence by giving suspension notice)

This Clause is consequential to renumbering and reference to the amendments in this Bill. Reference in section 28(4) of the Weapons Act to ‘section 10B(1)(ca) or 10C(1)’ is replaced by reference to ‘section 10B(1)(f) or 10C(1)(c)’.

64 Amendment of s 29 (Revocation of licence by giving revocation notice)

Subsection (1) of this clause makes provision for the amendments in this Bill to new section 10(2C) by inserting the words “or prescribed by regulation for this paragraph” in section 29.

Subsection (2) of this clause is consequential to renumbering and reference in amendments in this Bill. Reference in section 29(3) of the Weapons Act to ‘section 10B(1)(ca) or 10C(1)’ is replaced by reference to ‘section 10B(1)(f) or 10C(1)(c)’.

65 Amendment of pt 4, hdg (Possession and use of weapons)

This clause expands the heading of this part to reflect that it refers to the ‘Possession and use of weapons and other things’.

66 Amendment of s 50 (Possession of weapons)

This clause increases the maximum penalties for this section as follows:

- If the person unlawfully possesses 10 or more weapons - from 500 penalty units or 10 years imprisonment to 750 penalty units or 15 years imprisonment;
- If the person unlawfully possesses 10 or more weapons at least of which are category D, E, H or R weapons - from 13 years imprisonment to 1000 penalty units or 20 years imprisonment;
- If the person unlawfully possesses a category D, H or R weapon – from 300 penalty unit or 7 years imprisonment to 600 penalty units or 14 years imprisonment;
- If the person unlawfully possesses a category C or E weapon – from 200 penalty units or 4 years imprisonment to 500 penalty units or 10 years imprisonment; or
- If the person unlawfully possesses a category A, B or M weapon – from 100 penalty units or 2 years imprisonment to 300 penalty units or 7 years imprisonment.

67 Amendment of s 50B (Unlawful supply of weapons)

This clause increases the maximum penalties for this section as follows:

- If the person unlawfully supplies 5 or more weapons – from 500 penalty units or 10 years imprisonment to 750 penalty units or 15 years imprisonment;
- If the person unlawfully supplies 5 or more weapons at least of which are category D, E, H or R weapons – from 13 years imprisonment to 1000 penalty units or 20 years imprisonment;
- If the person unlawfully supplies a category D, H or R weapon – from 500 penalty units or 10 years imprisonment to 750 penalty units or 15 years imprisonment;
- If the person unlawfully supplies a category C or E weapon – from 300 penalty units or 7 years imprisonment to 600 penalty units or 12 years imprisonment; or
- If the person unlawfully supplies a category A, B or M weapon – from 200 penalty units or 4 years imprisonment to 500 penalty units or 10 years imprisonment.

68 Insertion of new s 56A

This clause inserts the new section 56A ‘Reckless discharge of weapon towards building or vehicle’ of the Weapons Act. This offence provision prohibits a person from, with reckless disregard for the safety of a person, discharging a weapon toward a building or vehicle.

A weapon is defined in this section to include an antique firearm, longbow, spear gun, slingshot or shanghai.

This offence carries a maximum penalty of 800 penalty units or 16 years imprisonment. However, if in the commission of the offence:

- the offender was a participant in a criminal organisation;
- the relevant building was a place of religious worship or the relevant vehicle was in or on a place of worship; or
- the offender was wholly or partially motivated to commit the offence by hatred or serious contempt for a person or groups of persons based on an attribute outlined in section 52B(1) of the Criminal Code

the maximum penalty for this offence increases to 1000 penalty units or 20 years imprisonment.

Section 161Q of the PSA is also a circumstance of aggravation for this offence.

69 Amendment of s 61 (Shortening firearms)

This clause increases the maximum penalty for section 61 of the Weapons Act from 200 penalty units or 4 years imprisonment to 700 penalty units or 14 years imprisonment.

70 Amendment of s 62 (Modifying construction or action of firearms)

This clause to increase the maximum penalty for sections 62(1) and (2) of the Weapons Act from 200 penalty units or 4 years imprisonment to 750 penalty units and 15 years imprisonment.

71 Amendment of s 63 (Altering identification marks of weapons)

This clause increases the maximum penalty for section 63 of the Weapons Act from 200 penalty units or 4 years imprisonment to 700 penalty units or 14 years imprisonment.

72 Amendment of s 65 (Unlawful trafficking in weapons)

This clause increases the maximum penalty for unlawful trafficking of weapons to life imprisonment regardless of the weapons category that the relevant weapon falls into.

73 Amendment of s 67 (Possessing and acquiring restricted items)

Section 67 ‘Possessing and acquiring restricted items’ of the Weapons Act prohibits a person without reasonable excuse from possessing or acquiring a restricted item.

This does not apply to a restricted item that is a replica of a firearm and the person is subject to a firearm prohibition order.

This clause provides that section 67 of the Weapons Act will also not apply to a restricted item that is a replica of a firearm and the person is subject to a corresponding firearm prohibition order.

74 Insertion of new ss 67A and 67B

This clause introduces a new offence provision under section 67A ‘Possession and distribution of blueprint material for manufacture of firearms’ of the Weapons Act. The new section 67A of the Weapons Act prohibits a person from possessing or distributing blueprint material for the manufacture of a firearm on a 3D printer or an electronic milling machine.

This offence carries a maximum penalty of 500 penalty units or 10 years imprisonment.

Later amendments in the Bill provide definitions for the terms ‘blueprint material’, ‘distribute’, ‘manufacture’ and ‘possession’.

The new section 67B ‘Defences for offences against section 67A’ of the Weapons Act lists the defence available to a person before a court in relation to section 67A. It is a defence to prove that:

- the person did not know, and could not reasonably be expected to have known, that the person was in possession or distributed the blueprint material;

- the blueprint material came into the person's possession unsolicited and the person took reasonable steps to divest themselves of the blueprint material upon becoming aware of its nature;
- the person possessed or distributed the blueprint material for use for a lawful purpose; or
- the person's conduct was of a public benefit.

The new section 67B of the Weapons Act outlines that conduct is of public benefit if it is necessary for, or assists in:

- enforcing or administering a State or Commonwealth law;
- monitoring compliance with or investigating a contravention of a State or Commonwealth law; or
- the administration of justice.

This section confirms that whether a person's conduct is of public benefit is a question of fact and that the person's motive is irrelevant.

75 Amendment of s 69 (Armourers to be licensed)

This clause increases the maximum penalty for section 69(1A) of the Weapons Act as follows:

- for a category D, H or R weapon –from 500 penalty units or 10 years imprisonment to 1000 penalty units or 20 years imprisonment;
- for a category C or E weapon – from 300 penalty units or 7 years imprisonment to 750 penalty units or 15 years imprisonment; or
- for a category A, B or M weapon – from 200 penalty units or 4 years imprisonment to 500 penalty units or 10 years imprisonment.

76 Amendment of s 141D (Definitions for part)

This clause amends the definitions under section 141D of the Weapons Act.

77 Amendment of s 141E (Matters to consider for making firearm prohibition orders—adults)

This clause removes the phrase 'or the court' for subsections (1), (2) and (3) of section 141E of the Weapons Act. The removal of this phrase classifies the powers or responsibilities under these subsections are no longer applicable to the Court. This amendment provides the Commissioner of Police with the sole authority to issue a firearm prohibition order.

78 Amendment of s 141F (Matters to consider for making firearm prohibition orders—children)

This clause removes the phrase 'or the court' from subsections (1), (2), (3) and (4) of section 141F of the Weapons Act. The omission of this phrase clarifies that the powers and responsibilities in these subsections no longer apply to the court.

79 Amendment of s 141G (Commissioner may make firearm prohibition orders)

This clause replaces the existing wording in section 141G(4) of the Weapons Act with a new provision that specifies different time periods for adults and children. The provision provides, if the individual is an adult, the period is 10 years; and if the individual is a child, the period is 5 years.

80 Omission of s 141H (Court may make firearm prohibition orders)

This clause removes section 141H from the Weapons Act. The section is no longer required as the court will no longer issue court-issued firearm prohibition orders.

81 Amendment of s 141I (Content of firearm prohibition orders)

This clause amends the heading in section 141I of the Weapons Act by replacing the term ‘Content’ with ‘Form and content’. This reflects the expanded scope of the section, indicating that the section now addresses the form and content of matters under section 141I. The clause also inserts the requirement that the relevant form must be in the approved form. The clause amends section 141I of the Weapons Act to replace the existing paragraphs (f) and (g) with new provisions and introduce a new paragraph (h). This amendment ensures that the notice includes that the individual has a right to have the decision to make the order reviewed by QCAT, how and the period within which the individual may apply for the review and any other matter prescribed by regulation.

82 Amendment of s 141J (When firearm prohibition orders take effect)

This clause replaces the existing wording in section 141J of the Weapons Act to clarify when the order takes effect. The order will take effect when a police officer serves the order, or a copy of the order, on the individual in accordance with section 141P of the Weapons Act.

83 Amendment of s 141L (Further firearm prohibition orders may be made)

This clause removes the phrase ‘or the court’ from subsection (1) of section 141L of the Weapons Act. The omission clarifies that the authority to make a further firearm prohibition order is no longer extended to the court. The clause omits subsections (2) to (4) of section 141L of the Weapons Act to remove procedural provisions that are no longer required.

84 Omission of pt 5A, div 2, sdiv 3 (Applications to court for firearm prohibition orders)

This clause omits the entirety of Part 5A, Division 2, Subdivision 3 of the Weapons Act which relates to ‘Applications to court for firearm prohibition orders’. The firearm prohibition orders will now be Commissioner-issued.

85 Amendment of s 141P (Personal service of firearm prohibition orders)

This clause makes a technical amendment by omitting the term ‘individual -’ and replacing it with ‘individual.’.

86 Amendment of s 141Q (Power to give directions to facilitate personal service of firearm prohibition orders)

This clause amends sections 141Q(2)(b) and (c) of the Weapons Act by replacing the term ‘stated period’ with ‘stated reasonable period’. The clause inserts new subsection (2B) and (2C) to provide guidance on determining what constitutes a reasonable period under subsection (2)(b) or (c). Subsection (2C) ensures the state police station or place for compliance is within a reasonable distance to the individual’s current location, taking into account their particular circumstances.

87 Omission of s 141R (Limits on directions)

This Clause removes section 141R ‘limits on directions’ from the Weapons Act.

88 Replacement of s 141T (Offence warning)

This clause omits the existing section 141T of the Weapons Act and inserts a new section. The new section outlines the obligations of a police officer when an individual fails to comply with a direction given under section 141Q (2) or section 141S (2) (b). Subsection (1) specifies the circumstances under which the section applies. Subsection (2) requires the police officer, where practicable to warn the individual that non-compliance constitutes an offence unless they have a reasonable excuse, and that the individual may be arrested for the offence. Subsection (3) mandates that the police officer must give the person a further reasonable opportunity to comply with the direction.

89 Amendment of s 141U (Offence to contravene direction)

This clause amends section 141U(2) of the Weapons Act to replace the existing subsection 2 of section 141U with a new provision. The new subsection (2) clarifies the circumstances under which an individual does not commit an offence against subsection (1). Specifically, subsection (2)(a) provides that no offence is committed if the firearm prohibition order pertains to someone other than an individual and or in accordance with subsection (2)(b) no offence is committed if, at the time the direction was given, the firearm prohibition order had already been served on the individual under section 141P of the Weapons Act.

90 Amendment of s 141V (Licenses, permits and approvals automatically revoked if firearm prohibition order made)

This clause amends section 141V of the Weapons Act by replacing the existing text from ‘effect -’ with an updated provision that clarifies that a firearm prohibition order takes effect when a police officer serves the order, of a copy of the order on the individual under section 141P of the Weapons Act.

91 Amendment of s 141Y (Acquiring, possessing and using firearms and firearm related items)

This clause amends section 141Y of the Weapons Act by inserting the wording ‘or corresponding order’ after the word ‘order’ in section 141Y (1). The clause also increases the penalty for an offence under section 141Y(1) of the Weapons Act from 500 penalty units or 13 years imprisonment to 1000 penalty units and 20 years imprisonment. The clause inserts the words ‘or a corresponding order’ after the word ‘order’ in section 141Y(2) of the Weapons Act, ensuring the provision applies to corresponding orders under corresponding laws. This clause increases the penalty for an offence under section 141Y(2) from 200 penalty units or 5 years imprisonment to 300 penalty units or 7 years imprisonment. This clause inserts the words ‘the possession of’ after the words ‘in relation to’ in section 141Y(3). This clause inserts the words ‘or corresponding order’ after the word ‘order’. This clause amends section 141Y(3)(b) by replacing the word ‘either’ in section 141Y(3)(b) with ‘for an individual subject to a firearm prohibition order’. This clause inserts a new subsection (3) in section 141Y(3) that specifies that for an individual subject to a corresponding order made under a corresponding law, compliance with a requirement under section 141W(3) or a direction under a provision corresponding to section 141W(4) is sufficient.

92 Amendment of s 141Z (Supply of firearms and firearm related items)

This clause inserts the word ‘or a corresponding order’ after ‘firearm prohibition order’ in section 141Z of the Weapons Act. This ensures that the provision applies to corresponding orders made under corresponding laws in other jurisdictions. This clause increases the penalty is subparagraph (a) of section 141Z of the Weapons Act from 500 penalty units or 13 years imprisonment to 750 penalty units or 15 years imprisonment. This clause increases the penalty in paragraph (b) of section 141Z of the Weapons Act from 200 penalty units or 5 years imprisonment to 300 penalty units or 7 years imprisonment.

93 Amendment of s 141ZA (Attending particular premises and events)

This clause inserts the words ‘or a corresponding order’ after ‘order’ in section 141ZA(1) of the Weapons Act. This ensures the provision applies not only to a firearm prohibition order under the Weapons Act, but also to corresponding orders made under corresponding laws in other jurisdictions.

94 Replacement of s 141ZB (Notifying commissioner of change of address)

This clause omits the existing section 141ZB of the Weapons Act and replaces it with a new provision. Subsection (1) specifies that the section applies to an individual subject to a firearm prohibition order who change their residential address. Subsection (2) requires the individual to notify the Commissioner in writing of the change of the address within 7 days, in a manner prescribed by regulation. The maximum penalty for failing to comply is 300 penalty units or 7 years imprisonment.

95 Amendment of s 141ZC (Definition for division)

This clause updates the heading of section 141ZC of the Weapons Act from ‘Definition’ to ‘Definitions’. The clause also inserts a new definition into section 141ZC of the Weapons Act to clarify that the term ‘firearm prohibition order’ includes a corresponding order.

96 Amendment of s 141ZE, hdg (Power to search individuals)

This clause updates the heading of section 141E of the Weapons Act by inserting the words ‘subject to firearm prohibition orders’ after the word ‘individuals’.

97 Amendment of s 141ZF (Power to search vehicles)

This clause removes the words ‘and anyone in or on the vehicle’ from section 141ZF(2)(b) of the Weapons Act. The commissioner ensures that the provision no longer applies to individuals in or on the vehicle.

98 Insertion of new s 141ZGA

This clause inserts a new section 141ZGA ‘Power to search particular persons’ of the Weapons Act and provides police officers with the authority to stop, detain and search individuals under specific circumstances. Subsection (1) outlines the scope of the section, specifying that it applies to individuals who are not subject to a firearm prohibition order but are (a) in the company of someone who is subject to a firearm prohibition order, (b) in or a vehicle in relation to which section 141ZF applies, or (c) at premises in relation to which section 141ZG applies.

Subsection (2) grants police officers the power to stop and detain the person, and to search the person and their possessions for firearms or firearm related items. The note provides the *Police Powers and Responsibilities Act 2000*, Chapter 20, Part 3 for safeguards apply. Subsection (3) limits the application of subsection (2)(b) to situations where a police officer reasonably suspects that the person is committing or is about to commit an offence under the Weapons Act and possesses a firearm or firearm related item.

99 Omission of pt 5A, div 5 (Annual review of firearm prohibition orders in relation to children)

This clause omits Part 5A, division 5 of the Weapons Act.

100 Omission of pt 5A, div 6 (Appeals)

This clause omits Part 5A, division 6 of the Weapons Act.

101 Amendment, relocation and renumbering of s 141ZT (Confidentiality of criminal intelligence)

This clause replaces the existing subsection (1) of section 141ZT of the Weapons Act with a new provision.

Subsection (1) specifies the types of proceedings to which this section applies including (a) a review under part 6, division 2, (b) a review under the *Judicial Review Act 1991* of a decision made in relation to the making of a firearm prohibition order under section 141G; (c) an appeal against a decision made in a proceeding mentioned in paragraph (a) or (b). The clause amends the specified subsections of section 141ZT by inserting the words ‘or tribunal’ after the word ‘court’.

The clause relocates section 141ZT to part 6, division 2 of the Weapons Act and renumbers it as section 149A.

102 Amendment of s 141ZU (Records to be kept)

This clause removes section 141ZU (2)(b) of the Weapons Act, narrowing the scope of matters in the register. This clause renumbers section 141ZU(2)(c) and (d) as section 141ZU(2)(b) and (c) to reflect the omission of section 141ZU(2)(b). The clause replaces 141ZY(3)(d) of the Weapons Act with a new provision that requires the register to include whether the decision to make the firearm prohibition order was reviewed under part 6, division 2 or the *Judicial Review Act 1991*, and the outcome of the review. The clause removes section 141ZY (3) (f) to (i).

The clause inserts a new subsection (3A) into section 141ZU of the Weapons Act, requiring the register to include additional particulars including, (a) actions taken by police under division 4, including any non-compliance, (b) details of firearms or firearm related items seized under division 4, (c) details of charges made against an individual subject to a firearm prohibition order or corresponding order under the Weapons Act or other Acts, (d) details of any charges made against an individual subject to a firearm prohibition order or a corresponding order under another Act, if the charges arise from a search under division 4. The clause renumbers section 141ZU(3A) to (5) as section 141U(4) to (6).

103 Replacement of pt 6, hdg (Rights of review and other appeals)

This clause updates the heading of Part 6 of the Weapons Act to ‘Provisions relating to reviews and appeals’.

104 Insertion of new pt 6, div 1, hdg

This clause updates the heading of Part 6, Division 1 of the Weapons Act to ‘Provisions relating to particular decisions’.

105 Amendment of s 142 (Right to apply for review of decisions)

This clause updates the heading of section 142 of the Weapons Act by inserting the word ‘particular’ after the words ‘review of’. The clause replaces the existing note in section 142(2) with a new note that reflects that for review rights in relation to firearm prohibition orders, see division 2.

106 Amendment of s 142A (Confidentiality of criminal intelligence)

This clause updates the definition of criminal intelligence in section 142A(3) of the Weapons Act by replacing reference to section 10B(1)(ca) or 10C(1) with section 10B(1)(f) or 10C(1)(c).

107 Insertion of new pt 6, div 2

This clause inserts a new division titled ‘Division 2 Provisions relating to firearm prohibition orders’ into Part 6 of the Weapons Act. The clause inserts new sections 146 to 149 into Part 6, Division 2, after section 145. The clause inserts a new section 146 which provides an individual subject to a firearm prohibition order may apply as provided under the QCAT Act to QCAT for a review of the decision to make the order. The clause inserts a new section 147 which provides the effect of firearm prohibition orders not stayed by particular proceedings. The clause inserts a new section 148 which provides particular review decisions. The clause inserts a new section 149 which provides the specific application of the QCAT Act in relation to firearm prohibition orders.

108 Amendment of s 161 (Proceedings for an offence)

This clause updates section 161(3A) of the Weapons Act by replacing the reference to section 50B or 65AA with section 50B, 56A or 65.

109 Amendment of s 163 (Evidentiary provisions)

This clause inserts two new paragraphs (da) and (db) into section 163(1) of the Weapons Act. Paragraph (da) provides that a certificate signed by a police officer of at least the rank of inspector, stating that, on a stated day or for a stated period, a firearm prohibition order was or

was not in effect is evidence of the matter; and paragraph (db) provides that a certificate purporting to be signed by a police officer, of at least the rank of inspector, of another State stating that, on a stated day or for a stated period, a corresponding order made under a law of the State was or was not in effect is evidence of the matter.

110 Insertion of new pt 8, div 10

This clause inserts a new Part 8, Division 10 (Transitional and validation provisions for Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Act 2026) of the Weapons Act.

Section 200 Definitions for division

This clause inserts definitions that are specific for this division of the Weapons Act.

The term ‘former’ in relation to a provision in the Weapons Act means the provisions in force before the commencement of the transitional provisions.

The term ‘new’ in relation to a provision in the Weapons Act means the provision in force upon the commencement of the transitional provisions.

Section 201 Particular existing applications – fit and proper person requirement

Subsection (1) of the clause provides that the new section applies in relation to applications for licences or applications to renew licences that have been made but not decided before the commencement of this section. The section clarifies that the new provisions, as amended by this Bill, apply to these applications.

Subsection (2) of the clause lists new sections amended by this Bill which apply to the relevant application: new section 10; new section 10B; new section 10C; new section 13; new section 14 of the Weapons Act.

Section 202 Particular existing applications – citizenship requirement

This clause outlines that in relation to an application for a weapons licence or for the renewal of a weapons licence that have been made, but not yet decided before the commencement of this section, sections 10(2)(h), (2C) and 18(9) of the Weapons Act will apply.

Section 203 Validation of particular decisions relating to licences

Subsection (1) of the clause provides the section applies to a decision made by an authorised officer before the commencement of the section. These include a decision: to reject an application for a licence; or to reject an application to renew a licence; or to suspend a licence; or to revoke a licence; and in deciding or considering the authorised officer considered a matter in the new sections amended by this Bill, new section 10B(1)(b) or (c) or 10C(1)(a) OR (b) of the Weapons Act.

Subsection (2) is a validating provision. The provision declares that a decision is taken to be, and to always have been as valid and lawful as it would be or would have been had the provision been in force when the decision was made. The provision applies new section 10B; new section 10C; new section 13; new section 14 of the Weapons Act.

Subsection (3) provides that anything done, or omitted to be done, in relation to the decision is taken to be, and to have always been, as valid and lawful as it would be or would have been had each of the provisions mentioned in subsection (2) been in force when the decision was made.

Subsection (4) of the clause provides an exception to subsection (3). The clause provides that if, before the commencement, the decision has been found by a court or tribunal to be invalid or has been set aside by a court or tribunal, the decision of the court or tribunal, and any orders, declarations or directions made by the court or tribunal in relation to the decision, stand.

Section 204 Firearm prohibition orders made under former section 141H

This clause provides that, in relation to a firearm prohibition order made under the former section 141H of the Weapons Act, the order will stop having effect on the commencement of this section. However, the person will continue to be a disqualified person for the purposes of this Act unless:

- when the order was made, the person was a child; or
- the decision to make the order was revoked or set aside on review or appeal.

Section 205 Existing firearm prohibition orders made under former section 141G

This clause provides that a firearm prohibition order made under the former section 141G of the Weapons Act that is in effect before the commencement of the new section 141G(4) will have effect for a period stated in the order of not more than 60 days.

Section 206 Records

This clause provides that records kept under former section 141ZU of the Weapons Act must continue to be kept under the new section 141ZU.

Section 207 Transitional regulation-making power

This clause authorises the making of a regulation (a transitional regulation) to provide for the necessary things that must be done to achieve an effective transition from the operation of provisions in effect before the commencement of this Act to the operation of this Act after the commencement of relevant amendments.

The transitional regulation does not have retrospective application beyond the day the relevant amendment commences.

The transitional regulation and this section will expire 1 year after the day that this section commences.

111 Amendment of sch 1AA (Class B serious offences)

This clause includes section 56A ‘Reckless discharge of weapon towards building or vehicle’ of the Weapons Act to the list of offences that constitute a class B serious offence.

A person is not a fit and proper person to hold or continue to hold a weapons licence if within 10 years of applying for the issue or renewal of the licence the person:

- a) has been convicted of a class B serious offence;
- b) has been released from lawful custody in relation to a conviction for a class B serious offence; or
- c) has been subject to a supervision order in relation to a conviction for a class B serious offence.

112 Amendment of sch 2 (Dictionary)

This clause inserts new definitions into schedule 2 (Dictionary) of the Weapons Act. The term ‘blueprint material’ is broadly defined to mean, whether in electronic, digital or hard copy form:

- a technical drawing of the design of an object;
- a plan, drawing, instruction or template for the manufacture of an object;
- a program, software or code for an electronic device for the manufacture of an object; and
- without limiting any of the above, includes a reproduction, copy or photograph of a thing whether in electronic, digital or hard copy form.

The definition of ‘distribute’ in relation to blueprint material includes:

- the communication, exhibition, supply or transmission of blueprint material to any person;
- making available the blueprint material;
- entering into an arrangement or agreement to do something mentioned above; and
- an attempt to distribute the blueprint material.

The definition of ‘manufacture’ in relation to a thing includes:

- take an action preparatory to producing the thing;
- take an action for the purpose of producing the thing or that advances the production of the thing;
- an offer to do any of the above; and
- an attempt to manufacture the thing.

This clause expands the definition of ‘possession’ in relation to blueprint material to include:

- the possession of an electronic device or a data storage device which holds the blueprint material;
- the possession of a document that records the blueprint material; and
- having control of the blueprint material held in an electronic device or data storage device even if it is possessed by another in or outside of Queensland.

This clause provides a definition a ‘relevant offence’ to mean under a law of Queensland or elsewhere, that involves:

- the carriage, discharge, possession, storage or use of a weapon;
- the use or threatened use of violence; or
- the possession or distribution of a blueprint material for the manufacture of a firearm on a 3D printer or an electronic milling machine.

Part 8 Amendment of Weapons Regulation 2016

113 Regulation amended

This clause states that this part amends the *Weapons Regulation 2016*.

114 Amendment of s 92 (Container)

Section 92 of the *Weapons Regulation 2016* outlines the storage requirements for collectors who possess a category A, B, C, E and M weapon. This clause will require that these weapons must be stored inside a solid steel container exclusively by omitting the term ‘or solid timber’.

115 Amendment of s 94 (Storage of particular weapons not in person's physical possession-secure storage facilities)

Section 94 of the *Weapons Regulation 2016* outlines that a person must, when a weapon is not in the person's physical possession, store it in locked container. This clause will require that a person who possess a category A, B, C, E and M weapon must store it inside a solid steel container exclusively by omitting the term 'or solid timber'.

Part 9 Amendment of Youth Justice Act 1992

116 Act amended

This clause states that this part amends the *Youth Justice Act 1992*.

117 Amendment of s 175A (Sentence orders—significant offences to which adult penalties apply)

This clause amends section 175 of the YJ Act regarding the list of significant offences to which adult penalties apply. This clause amends s 175A(1)(x) to replace item 14 (Stealing firearm for use in another indictable offence) with item 15 (Stealing firearm or ammunition) due to the omission of item 14 in the Bill and the increase in the maximum penalty for stealing a firearm. This clause adds the new offences under sections 56A 'Reckless discharge of weapon towards building or vehicle' and 67A 'Possession and distribution or blueprint material for manufacture of firearms' of the Weapons Act to the list of significant offences to which adult penalties apply.

118 Amendment of s 176 (Sentence orders—other significant offences)

This clause amends the definition of 'relevant offence' for the section to include reference to section 175A(1) or (1B) of the YJ Act.

Part 10 Other Amendments

119 Legislation amended

Clause 119 provides for Schedule 1 which makes minor and consequential amendments for the legislation that it mentions.