

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

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# FIGHTING ANTISEMITISM AND KEEPING GUNS OUT OF THE HANDS OF TERRORISTS AND CRIMINALS AMENDMENT BILL 2026

## CONSULTATION SUBMISSION

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From Firearm Owners United



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FIREARM OWNERS UNITED

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## Introduction

Firearm Owners United (FOU) is a national advocacy organisation representing law-abiding firearms owners, hunters, and participants in the sporting and recreational shooting community. The organisation is supported by a volunteer leadership and advisory group with diverse professional backgrounds, including former Defence personnel, security and information technology specialists, agricultural professionals, accredited firearms instructors, competitive sporting shooters, and hunters.

This submission responds to the Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026 and sets out FOU's considered views on the firearms-related provisions of the Bill. It addresses the structure, implementation, and likely impacts of the proposed reforms and, where relevant, draws on available evidence and comparative experience from other jurisdictions.

FOU's intent is to contribute constructively to the review process and to support reforms that genuinely enhance community safety while maintaining fairness, proportionality, and consistency within Queensland's firearms regulatory framework. Effective regulation should be grounded in evidence, focused on demonstrable risk, and balanced against the legitimate interests of lawful firearms users engaged in sporting, hunting, and occupational activities. Matters unrelated to firearms are outside the scope of this submission and are not addressed.

FOU acknowledges the compressed timeframe and limited consultation associated with this review. Notwithstanding these constraints, this submission has been prepared in good faith and seeks to provide a clear, reasoned, and evidence-based contribution to the Government's deliberations. We respectfully request that these views be considered in that context.

## Areas of change highlighted by the objectives of the Bill

### Part 1 - Increase the maximum penalty for stealing a firearm or ammunition to 14 years imprisonment

FOU supports the proposal to increase the maximum penalty for stealing a firearm or ammunition to 14 years' imprisonment. The theft of firearms and ammunition is a serious criminal offence that directly contributes to the diversion of weapons into the illicit market and poses a significant risk to community safety.

Such conduct undermines the integrity of the licensing system, damages the reputation of law-abiding firearms owners, and imposes substantial investigative burdens on law enforcement agencies. A strengthened maximum penalty appropriately reflects the gravity of the offence, reinforces the distinction between responsible licensed ownership and criminal misuse, and signals that the unlawful acquisition of firearms will be treated with the utmost seriousness.

Provided that courts retain discretion to impose proportionate sentences based on the circumstances of each case, this reform represents a reasonable and targeted measure to deter criminal behaviour and protect the community.

## Part 2 - 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

FOU considers that robust maximum penalties play an important role in deterring deliberate criminal conduct involving firearms, particularly where criminal intent has been proven beyond a reasonable doubt, or where public safety was consequently endangered by the misuse of firearms.

### 1. Unlawful trafficking in weapons

We support strong penalties for the unlawful commercial supply of firearms, particularly where such activity is linked to organised crime or deliberate attempts to circumvent regulatory safeguards. However, we are concerned about the introduction of mandatory minimum custodial sentences for trafficking offences. Mandatory sentencing removes the ability of courts to consider the full circumstances of the offence and the offender, including factors such as intent, scale of activity, level of sophistication, and actual risk posed to the community.

Trafficking offences can encompass a wide range of conduct, from organised criminal arms dealing to technically unlawful commercial activity that may arise from licensing failures or regulatory misunderstandings. A rigid sentencing framework risks producing disproportionate outcomes in cases that do not reflect the level of culpability typically associated with serious criminal trafficking.

Judicial discretion is a cornerstone of the criminal justice system and allows sentences to be tailored to achieve just and effective outcomes. We therefore recommend that courts retain the ability to impose significant penalties where warranted, while preserving flexibility to address less serious cases appropriately.

### 2. Alteration or Defacement of Serial Numbers

While we support strong penalties for the deliberate removal or alteration of firearm identification marks as a tool used by criminal networks to obscure provenance and frustrate tracing, we are concerned that the substantially increased penalties may capture individuals whose involvement is inadvertent or the result of deception by others.

In legitimate commercial and collecting contexts, firearms frequently change hands through auctions, estate sales, dealer acquisitions, or amnesty collections. In such circumstances, a person may unknowingly come into possession of a firearm with a previously altered serial number. Detecting such alterations can be difficult, particularly where the work has been performed professionally or where the firearm has been refinished or worn over time. A person acting in good faith should not face the same level of criminal liability as an individual who intentionally removes or alters identifying marks for unlawful purposes.

We are aware of cases in which licensed dealers have acquired firearms through legitimate channels, including government amnesty programs, only for a pre-existing alteration to be

identified later. In these situations, the dealer or subsequent possessor is effectively a secondary victim of the original misconduct rather than a participant in it. Imposing very substantial custodial penalties in such circumstances risks punishing individuals who neither intended nor benefited from the unlawful act.

Accordingly, we recommend that the legislation explicitly preserve judicial discretion to distinguish between deliberate tampering and unintentional possession. Consideration should be given to reduced penalties, alternative offences, or statutory defences where a person can demonstrate that they did not know, and could not reasonably have known, that a serial number had been altered, and that they exercised appropriate due diligence consistent with industry practice.

Maintaining this distinction would ensure that the law continues to target those who intentionally seek to conceal a firearm's identity, while avoiding disproportionate consequences for otherwise compliant licence holders who have been misled or unable to detect a sophisticated alteration.

Overall, while we support strong penalties for serious criminal misuse of firearms, reforms should maintain proportionality and preserve judicial discretion to ensure that sanctions are directed at genuinely dangerous conduct rather than technical or inadvertent breaches.

### Part 3 - Introduce a specific offence prohibiting the reckless discharge of a weapon towards a building or a vehicle

We support the introduction of a specific offence prohibiting the reckless discharge of a weapon toward a building or vehicle. Conduct of this nature presents a significant risk to occupants, bystanders, and the broader community, regardless of whether injury or damage ultimately occurs. A clearly defined offence targeting such behaviour assists law enforcement to respond appropriately to serious misuse of firearms.

FOU supports measures that focus on dangerous conduct rather than imposing additional restrictions on lawful firearm ownership. Creating a dedicated offence ensures that behaviour such as firing toward occupied premises or vehicles can be addressed without reliance on broader provisions that may not adequately reflect the gravity of the risk involved.

However, it is important that the term “reckless” be clearly defined and applied consistently with established criminal law principles. The legislation should make clear that the offence targets conduct where a person consciously disregards a substantial and unjustifiable risk to others. Clarity is particularly important to ensure that lawful activities, such as shooting on private property in safe directions or legitimate pest control operations, are not inadvertently captured.

Provided that appropriate guidance and definitions are included to distinguish genuinely dangerous conduct from lawful firearm use, this reform represents a proportionate and targeted response to behaviour that endangers public safety.

## Part 4 - 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

FOU recognises the increasing concern regarding improvised and additively manufactured firearms, including devices produced using 3D printing or computer-controlled machining. Reports indicating that such firearms accounted for a measurable proportion of items examined by forensic authorities highlight an emerging risk. These devices may be untraceable due to the absence of serial numbers and can be poorly constructed, posing a danger to both the community and the person using the firearm.

Measures that genuinely disrupt illicit manufacture and criminal access to firearms are consistent with our public safety objectives. However, we question the necessity of creating new offences directed at blueprint material when the unlicensed manufacture of firearms is already unlawful under existing legislation. The Weapons Act imposes strict licensing requirements on firearm manufacture, with substantial penalties for non-compliance. Individuals engaged in illicit production are already operating outside the regulatory framework, and it is not clear that criminalising possession of design information alone will materially reduce such activity.

We note that the current Bill differs from earlier proposals considered in Queensland. The provisions are more narrowly framed, focusing on blueprint material specifically intended to enable manufacture using 3D printers or electronic milling machines, and include explicit defences for lawful purpose, lack of knowledge, unsolicited receipt, and conduct of public benefit. Clarification that mere access to material via the internet does not constitute possession is also a positive inclusion. These safeguards reduce the likelihood of unintended consequences, although residual concerns remain regarding the breadth of the concept of possession for digital material.

Licensed firearm owners, collectors, engineers, researchers, and industry participants may legitimately possess technical drawings, manuals, measurements, or computer-aided design files relating to firearms or components. Such material is commonly used for maintenance, restoration, historical documentation, education, or to facilitate lawful manufacture by licensed armourers. Prospective manufacturers may also undertake design work well before obtaining the licences required for production, given the significant regulatory and financial barriers to entry. While the Bill provides lawful-purpose defences, the existence of criminal liability for mere possession may create uncertainty and discourage legitimate technical activity that poses no public safety risk.

We are also concerned that regulating information rather than conduct represents a significant expansion of the scope of firearms law. Digital design files are widely distributed across the internet, often hosted outside Australian jurisdiction, and can be obtained anonymously within minutes. A person intending to manufacture an illicit firearm could download the necessary material immediately prior to production and delete it afterwards, significantly limiting the preventative value of a possession-based offence. In practical terms, the material will remain globally available regardless of domestic prohibition, meaning the offence may primarily affect individuals who retain such material for legitimate purposes rather than those engaged in deliberate criminal manufacture.

Effective mitigation of improvised firearm manufacture is more likely to be achieved through intelligence-led policing, disruption of illicit supply chains for key components, improved forensic capability, and enforcement against unlawful manufacture itself. Targeting demonstrable criminal

behaviour provides a clearer pathway to harm reduction than broadly regulating technical information that may also have legitimate uses.

Overall, while we support efforts to address emerging methods of illicit firearm production, we recommend that the Government clearly demonstrate the necessity and proportionality of these new offences and ensure that definitions are tightly confined to material genuinely intended to enable unlawful manufacture. A risk-based approach focused on criminal misuse, rather than broad regulation of information, is more likely to enhance community safety while avoiding unintended impacts on lawful users, researchers, and legitimate industry development.

## Part 5 - Require that a Queensland weapons licence holder must, unless limited exceptions apply, be an Australian citizen

Under the current Queensland framework, firearms licence eligibility is tied to State residency. This approach is consistent across Australian jurisdictions and appropriately aligns regulatory responsibility with the individual's place of residence. We see no compelling justification to replace this model with a citizenship-based requirement.

Recent proposals to restrict licences exclusively to Australian citizens would exclude permanent residents who have already undergone extensive background checks, character assessments, and ongoing scrutiny under Commonwealth migration and security processes. If an individual is considered safe to reside permanently within the community, it is difficult to justify deeming that same individual inherently unsuitable to hold a firearms licence for lawful purposes. Matters of character and security risk are more appropriately addressed through existing immigration and law-enforcement mechanisms rather than citizenship status alone.

Permanent residents are also eligible to serve in the Australian Defence Force and in certain policing and protective service roles, positions involving rigorous vetting and, in many cases, access to firearms in the course of duty. A policy that considers such individuals suitable for roles directly tied to national security, yet unsuitable to possess firearms for regulated civilian purposes, introduces an inconsistency not grounded in demonstrated risk or behaviour.

Restricting licences based on citizenship rather than individual suitability creates an arbitrary distinction unlikely to improve public safety outcomes. Effective licensing regimes focus on conduct, compliance history, and assessed risk, supported by robust background checks and ongoing monitoring. Broad exclusions targeting lawful residents as a class may create a perception of increased safety without addressing the underlying factors associated with criminal misuse.

However, we note that the Bill proposes exemptions for genuine occupational and sporting purposes, as well as transitional arrangements applying the requirement at licence renewal. These measures substantially mitigate the potential impact on affected individuals. While we do not support the underlying policy rationale for a citizenship requirement, we acknowledge that the proposed implementation approach is proportionate and reduces unnecessary disruption for current licence holders.



## Part 6 - 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

We strongly support this proposal, as it restores the longstanding assessment framework that existed prior to the Queensland Court of Appeal decision in *Commissioner of Police v XPR* [2025] QCA 93. Historically, Weapons Licensing Queensland considered an applicant's full relevant history when determining whether a person was fit and proper to hold a licence. This preventative, risk-based approach is consistent with the public safety objectives of firearms regulation and is broadly supported by the law-abiding firearms community.

While the concepts of spent and non-recorded convictions serve important rehabilitative purposes within the criminal justice system, firearms licensing is not punitive in nature. It is a forward-looking regulatory scheme concerned with risk management. Allowing decision-makers to consider relevant violent or weapons-related conduct, even where a conviction is spent or not recorded, is therefore appropriate, provided such information is assessed fairly and in context.

FOU emphasises that this power must be exercised proportionately and transparently. Factors such as the seriousness of the conduct, the time elapsed, evidence of rehabilitation, and the individual's subsequent compliance history should remain central to decision-making. Decisions should be based on demonstrable risk rather than minor historical matters or technical offences that have no bearing on public safety.

Overall, this amendment strikes an appropriate balance between community safety and the fair treatment of lawful licence holders. A risk-based system that focuses on behaviour and suitability, rather than arbitrary exclusions, is more likely to maintain public confidence while ensuring that firearms remain in the hands of responsible, law-abiding individuals.

## Part 7 - Strengthen the effectiveness of the Firearm Prohibition Order (FPO) scheme which is designed to deter high-risk individuals from acquiring, possessing, or using firearms

We are broadly supportive of the proposed enhancements to the Firearm Prohibition Order (FPO) scheme as a targeted tool for managing genuinely high-risk individuals. However, we consider it essential that the initial issuance of an FPO be subject to approval by an independent judicial officer, in a manner analogous to the process for obtaining a search warrant. The proposed model, under which orders may be issued solely on the decision of the Commissioner, concentrates significant coercive power within the executive without prior external scrutiny. We consider this inconsistent with established principles of natural justice and oversight.

While we acknowledge and support the availability of post-issuance review mechanisms, including merits review, these do not provide the same safeguard as independent assessment prior to the imposition of intrusive powers. Judicial authorisation at the outset would help ensure that orders are grounded in demonstrable risk and supported by sufficient evidence, while maintaining public confidence in the fairness and integrity of the scheme.

We are also concerned that FPOs operate in effect as a standing search authority. The ability to repeatedly stop, detain, and search a person, their associates, vehicles, and premises without a warrant represents a significant departure from ordinary policing powers. There is a risk that these powers may be used more broadly as an investigative tool against persons of interest rather than strictly for the prevention of firearms-related offending.

For these reasons, while we support the objective of preventing access to firearms by high-risk individuals, we recommend that the legislation be amended to require prior judicial approval for the issuance of an FPO and to ensure that the scope of associated search powers remains tightly connected to that objective.

### Part 8 - 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

Our organisation supports the removal of solid wood containers from the list of approved storage options for firearms. The provisions permitting timber cabinets reflect an earlier period when such storage solutions were common. In practice, these cabinets have been largely superseded by purpose-built steel safes and are now uncommon within the licensed firearms community.

Requiring modern steel storage will materially improve resistance to forced entry and unauthorised access while aligning regulatory standards with contemporary security expectations. It will also ensure a consistent baseline of storage across the State, reducing ambiguity about what constitutes acceptable security.

We recommend that clear educational materials and guidance be provided to licence holders to support the transition. This should include practical information on compliant storage specifications, examples of acceptable safes, installation requirements, and any applicable transitional arrangements. Proactive communication will help ensure high levels of compliance, minimise confusion, and reduce the risk of otherwise responsible licence holders inadvertently falling foul of the updated requirements.

Provided that reasonable implementation timeframes and clear guidance are made available, this reform represents a sensible modernisation of storage standards that supports public safety while remaining fair and proportionate to lawful firearms owners.

## Summary and Recommendations

This submission supports reforms that are demonstrably capable of improving community safety through targeted, evidence-based measures that address criminal misuse of firearms. Measures that disrupt illicit supply, strengthen enforcement against high-risk individuals, and enhance regulatory clarity are more likely to produce meaningful harm reduction than broad or symbolic changes that do not directly address the drivers of serious offending.

At the same time, it is important that legislative responses remain proportionate, transparent, and grounded in demonstrable risk. Overly broad provisions, rigid sentencing frameworks, or measures that inadvertently impact compliant licence holders may undermine confidence in the regulatory system without delivering corresponding public safety benefits. Effective firearms regulation is best achieved by focusing on behaviour, intent, and risk, while preserving the legitimate activities of lawful participants in sporting, hunting, and occupational contexts.

FOU encourages continued engagement with stakeholders, industry participants, and the law-abiding firearms community to ensure that reforms are practical, enforceable, and supported by those responsible for their day-to-day implementation. Through evidence-based policy, clear legislative drafting, and ongoing consultation, the Government can strengthen community safety while maintaining a regulatory framework that is fair, consistent, and resilient to emerging threats.

Yours Sincerely,

Kirk Yatras  
President  
Firearm Owners United