



Speech by

**GEOFF WILSON**

**MEMBER FOR FERNY GROVE**

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Hansard 27 February 2003

**WEAPONS AND ANOTHER ACT AMENDMENT BILL**

**Mr WILSON** (Ferry Grove—ALP) (11.52 a.m.): I rise to support the amendments within the bill that provide assistance for weapons licensees to renew licences. As members would be aware, the first five-year weapons licences issued after amendments to the Weapons Act in 1997 began to expire in January this year. There are approximately 190,000 weapons licensed holders in Queensland who will need to renew their licences at some point in the next four years. The Weapons Licensing Branch of the Queensland Police Service has initiated the renewal process for each licensee by sending out a renewal package approximately three months prior to the expiry date. When an officer in charge of a police station receives a weapons licensing application, the application must be referred to the Weapons Licensing Branch.

It is the policy of the Queensland Police Service that all applications relating to Weapons Act decisions are forwarded to the Inspector, Weapons Licensing Branch. In this way a centralised decision-making process helps to ensure: firstly, consistency in the determination of applications; secondly, all necessary inquiries to be made; and, thirdly, does not divert operational policing resources to administrative functions. If applicants fail to submit their applications on time, or fail to disclose all relevant information, a delay is caused.

Currently, section 18 of the act, dealing with renewal of licences, provides that a licensee may apply for the renewal of their licence within a period of 46 days starting 60 days before the day the licence expires. Compliance with the 14-day limit is a critical requirement for the renewal of licences. While police officers may receive an application on the 13th day or less before the expiry date, these applications cannot be approved because the licensee has failed on occasions to comply with the provisions of the act. Unlike a new firearms licence application, which does not specify a time frame for the issue of a licence and allows the police to consider anything at the officer's disposal, the authorised officer must decide a renewal application before the licence actually expires. Regardless of whether the authorised officer has identified a matter that requires further investigation, there is no provision within the act that permits the authorised officer to extend the determination of a renewal application for a reasonable time.

Bearing in mind that at most the authorised officer will have a period of less than 60 days to make a decision, and possibly only 15 days, an authorised officer may be put in a position of having to decide the application without having a proper opportunity to investigate everything which in his or her opinion requires further investigation.

The changes proposed in this bill will allow police the time required, if necessary, to conduct the most thorough investigation possible and to make an assessment to determine the applicant's appropriateness to possess a weapons licence. It will also mean that licensees who put in their application before the licence has expired but after the 14-day limit referred to earlier are not penalised. A person once unlicensed has no lawful justification, authority or excuse to continue to possess any registered firearm they previously possessed under a valid licence. To avoid committing an offence of unlawful possession of a weapon under section 50 of the act, the person must either dispose of the firearms registered to the expired licence and in the possession of an unlicensed person or reapply for the issue of a new licence.

To address these concerns the bill amends section 18 of the act dealing with the renewal of licences by, firstly, changing the date of lodgment for an application for the renewal of a weapons licence to the date of expiry of the licence within section 18(1); and, secondly, by extending the strict renewal of licence time frame for determination of an application by an authorised officer to a maximum of 42 days after the date of the licence expiry within section 18(4).

The authorised officer may then request further particulars from a person to resolve an identified issue prior to the expiry of the licence. These changes are positive administrative steps which will assist the efficiency of the weapons licensing process and maintain the integrity of the stringent systems of checks and balances police must undertake to assess the suitability of applicants for weapons licences. I commend the bill to the House.