

All persons possessing firearms in NSW must comply with the safe keeping and storage requirements as prescribed by the *Firearms Act 1996*, the associated Regulation and as recommended by the Commissioner.

This FACT sheet provides information on the safe keeping and storage requirements applicable to all Category A & B firearm licence holders.

What are the general requirements in relation to the safe keeping of firearms?

All licence holders in NSW are subject to the general requirement for safe storage of firearms under section 39 of the *Firearms Act 1996*. Any person in possession of a firearm must take all reasonable precautions to ensure the firearm is kept safely, is not lost or stolen and does not come into the possession of an unauthorised person.

Licensees who store firearms at residential premises are restricted to premises that are the principal place of residence of a person (whether or not that person is the licensee), OR residential premises where a person is residing while the firearms are stored there (whether or not that person is the licensee). In addition, if the firearms are stored in a building or structure that is separate from the residential premises, that building or structure must be easily observed from the residential premises - refer clause 38 of the *Firearms Regulation 2017*.

There are specific legislative requirements for the safe keeping and storage of firearms for Category A & B licence holders, in addition to the general requirement.

What are the legislative safe storage requirements for Category A & B firearms?

Section 40 of the Act provides mandatory minimum requirements for the safe keeping and storage of firearms held under a Category A & B licence as follows:

- * When any firearm is not actually being used or carried, it must be stored in a locked receptacle of a type approved by the Commissioner of Police and that is constructed of hard wood or steel and not easily penetrable.
- * If the receptacle weighs less than 150 kilograms when empty, it must be fixed in order to prevent its easy removal.
- * The locks of such a receptacle must be of solid metal and be of a type approved by the Commissioner.
- * Any ammunition for the firearm must be stored in a locked container of a type approved by the Commissioner. Ammunition may be kept in the receptacle with the firearms, but must be kept in a separate locked container within the receptacle.

Failure to meet these requirements is a serious offence with a fine of \$2200 or 12 months imprisonment, or both.

Do I have to secure my receptacle to the premises?

Yes. If the receptacle used for storing the firearms weighs less than 150kg (when empty), the receptacle must be secured to the structure of the building. The receptacle should be secured by way of expanding anchor bolts (or similar) fixed internally through the base and/or back of the receptacle. The securing points should not be visible or accessible externally from the receptacle.

- * When mounted onto brick, stone or concrete, it should be attached by at least four (4) masonry anchors 90mm in length and 10mm in diameter internally fitted through holes in the rear and/or base of the container, securing it to the floor and/or wall. The receptacle should be mounted flush with the floor and/or wall.
- * When mounted onto main wall studs, it should be fitted flush against the wall and secured to the wall studs and/or floor joists by four (4) galvanized hexagon head coach screws, not less than 65mm in length and 8mm in diameter. The receptacle should be mounted flush with the floor and/or wall.



This picture represents an example of a steel container which, when correctly mounted, would comply with the basic safe storage requirements for firearms under a Category A & B firearms licence.

Receptacle secured through the floor and/or rear by expanding anchor bolts

What are the approved receptacles for Category A & B safe storage?

The Commissioner has determined the following as the minimum standard applicable for the receptacle and locking mechanisms for Category A & B safe storage.

Any receptacle or lock must meet or exceed the following features to comply with section 40(1) of the Act.

What are the minimum standards for locking mechanisms?

The minimum standards for the locking mechanisms for a Level 1 receptacle are as follows:

- * The door should be fitted with a three point locking mechanism (or similar) which secures the door to the receptacle at various points around the door to prevent unauthorised entry to the receptacle, OR
- * The door should be fitted with a locking mechanism which is equivalent to or exceeds that of a three point locking mechanism, (eg. a deadbolt or padlock).
- * If the safe requires the fitting of an external lock (ie padlock), the lock must have a minimum body width of 40mm and a hardened steel shackle.

Any receptacle must be secure enough to prevent unauthorised entry. If police determine, upon inspection, that the receptacle is easily penetrated, due to the material used, or the type of lock, or the ease of using a crow bar or similar to jemmy open the door, or the positioning of the receptacle, police will not pass the inspection and will advise on the alterations required to make the receptacle compliant.

Can I make alternative arrangements for safe storage?

Yes. Provided the Commissioner of Police is satisfied that the alternative arrangements for the safe keeping & storage of firearms in the licensee's possession are of a standard not less than the requirements prescribed by section 40 of the Act.

For example, category A & B licence holders may store their firearms in a safe applicable to a category C, D or H licence, as this level of safe storage exceeds the minimum requirements of section 40 of the Act.

When do I need to have my safe storage inspected?

It is a condition on a licence that the licensee allows inspection by police of the safe keeping and storage facilities for the firearm at a mutually agreed time - section 19(2)(c) of the Act. A licensee must make all reasonable efforts to accommodate any reasonable request by police to inspect the safe storage and safe keeping facilities - clause 37 of the *Firearms Regulation 2017*.

If your safe storage requires inspection, police will contact you to arrange a time for the inspection.

Upon successful completion of the inspection, police will notify the Firearms Registry and issue you with an inspection event number.

What if I change the address where my firearms are stored?

You must notify the Firearms Registry within 14 days of any change to a safe storage address.

This can be completed electronically by using the 'Change of Personal Details' form on our website. By using this form you are meeting all the requirements for notification of a change of firearm safe storage address.

Police will contact you when the new safe storage address needs to be inspected.

Related Information

See FACT Sheets: 'Ammunition Safe Storage, Purchase and Possession',
'Transportation of Firearms',
'Level 2 Safe Storage - Category C, D & H Requirements'.

Firearms Registry

Address

Locked Bag 1
Murwillumbah NSW 2484

Telephone

1300362562

Interstate

02 66708590

Fax

02 66708558

Email

firearmsenq@police.nsw.gov.au

Website

www.police.nsw.gov.au/firearms

Where can I find more information?

The information provided in the FACT Sheet is for general guidance only. Applicants and licensees should familiarise themselves with the *Firearms Act 1996* and associated Regulation, which are available on the NSW Legislation website - www.legislation.nsw.gov.au.



NSW Police Force
www.police.nsw.gov.au