



WEAPONS LICENSING BRANCH

Weapons Legislation (Lever Action Shotguns)

Amendment Regulation 2017

This FACT sheet provides information regarding the introduction of the *Weapons Legislation (Lever Action Shotguns) Amendment Regulation 2017* and its impact on owners of Lever Action Firearms

What are the amendments in relation to the re-categorisation of the Lever Action Shotgun?

The *Weapons Legislation (Lever Action Shotguns) Amendment Regulation 2017 (the regulation)*, was notified in Queensland Parliament on the 10th of October 2017 and provides a commitment from the State Government to implement changes outlined in the updated National Firearms Agreement (NFA) in relation to the categorisation of lever action shotguns.

The new regulation will commence the 1st of March 2018.

Currently, all lever action shotguns are classified as Category A firearms. The *regulation* will re-categorise lever action shotguns as follows:

- * Category B - Lever action shotguns with a magazine capacity of no more than five rounds.
- * Category D - Lever action shotguns with a magazine capacity of more than five rounds.

Please note magazine capacity does not include the round located in the chamber.

Licence holders who own a lever action shotgun/s purchased and/or legally modified prior to the notification date of the regulation (**10th October 2017**) will be authorised to retain possession of their firearm/s. The regulation also provides for the grandfathering of lever action shotguns with a magazine capacity of more than five rounds. The grandfathering provisions apply only for the particular lever-action shotgun registered to the person, and only while that shotgun remains registered in their name. Grandfathering will apply only to current legitimate firearms licence holders, not to those with merely a Permit to Acquire for a lever action shotgun.

What if I own a lever action shotgun that has now been re-categorised as a Category B firearm (magazine capacity of five rounds or less)?

If you are the holder of a Category B firearms licence then the firearm will be transitioned to your Category B firearms licence. You will receive an updated weapons list when you renew your current licence.

If you are not the holder of a Category B firearms licence i.e Category A licence only, then you will be issued with a new Category A licence (at no cost to you) with a condition code authorising you to possess a Category B firearm. You will receive an updated weapons list when you renew your current licence

What if I own a lever action shotgun that has now been re-categorised as a Category D firearm (magazine capacity of more than five rounds)?

If you are the holder of a Category D firearms licence then the firearm will be transitioned to your Category D firearms licence. You will receive an updated weapons list when you renew your current licence

If you are not the holder of a Category D firearms licence you will be issued with a new Category B licence (at no cost to you) with a condition code authorising you to possess the Category D firearm.

**** The grandfathering provisions will ensure that if this firearm is bequeathed by you to a person holding a Category B licence, then their licence will also receive an endorsement to possess the Category D firearm.**

What if I have a Lever Action Shotgun that is not accurately recorded on the Commissioners Register with correct magazine capacity?

If you have a lever action shotgun, please review your current weapons list to ensure the maximum magazine capacity is accurately recorded for the firearm in your possession.

If you hold a lever action shotgun that is not accurately recorded, you can attend your local firearm's dealer in person to update the register or you can contact Weapons Licensing by email and attach a current photo of your firearm.

Where a person can satisfy the authorised officer that the firearm was manufactured and purchased with, or lawfully modified to have, a magazine capacity of more than 5 rounds, prior to the regulation notification date of 10th October 2017, the registration of the firearm will be updated and endorsements on the persons licence undertaken accordingly. **(Evidence of a lawful modification would include an Armourers certificate).**

What if I have a Lever Action Shotgun that was not manufactured with more than five rounds, and was not lawfully modified prior to 10 October 2017?

If you have possession of a lever action firearm with a magazine capacity exceeding 5 rounds that was not lawfully modified prior to the 10th of October 2017, this firearm will not fall within the scope of the transitional (grandfathering) provisions.

What if I have been issued a Permit to Acquire for a Category A firearm and I intended to purchase a lever action shotgun?

If you have been issued a Permit to Acquire for a Category A firearm and you intend to purchase a lever action shotgun please contact Weapons Licensing on 3015 7777 and we can provide you with advice as to the implications of the amendments upon your purchase. The change in categories for lever action shotguns does not take effect until 1 March 2018.

Can I use my lever action shotgun in other States and Territories legally?

While all States and Territories have agreed to re-categorise lever action shotguns, other jurisdictions may have different arrangements from QLD. Please check with the registry of the State or Territory you are seeking to visit to confirm their local arrangements.

Will this re-categorisation affect my safe storage requirements?

If your lever action shotgun has been re-categorised from a Category A firearm to a Category B firearm, there is no change to your existing safe storage requirements.

If your lever action shotgun has been re-categorised from a Category A firearm to a Category D firearm, although the *regulation* deems a condition be added to your Category B licence to possess the lever action shotgun, the container storing the firearm must be a rigid structure made of steel and bolted the frame or floor of the a permanent building.

Additional information regarding safe storage requirements can be located on the QPS Weapons Licensing webpage.

Will there be any fees involved?

There will be no fees involved for licensees resulting from the re-categorisation of a lever action shotgun. For example, if under the new *regulation* you require a Category B firearms licence with a condition to possess a Category D firearm, this new firearms licence will be issued to you at no cost.

Are there any additional requirements?

Once *the regulation* takes effect from 1 March 2018, it will only apply to the person in whose name the lever action shotgun is registered. Accordingly, you cannot lend your lever action shotgun to a person who is not authorised to possess the re-categorised firearm. For example, if you are in possession of a lever action shotgun with a magazine capacity greater than five rounds (will be categorised as a Category D firearm), you cannot lend this firearm to a person who is not authorised to possess or use a Category D firearm.

What do I need to do now?

The *regulation* commences on the 1st of March 2018. Between now and then, Weapons Licensing Branch will contact affected firearms owners to advise of regulatory changes as well as re-issue new licences to affected owners. The Commissioners Weapons Register will also be updated and in due course and you will receive an updated Weapons List.

It is important to know that if you are lawfully in possession of a lever action shotgun or a lever action shotgun that has been lawfully modified, then you are authorised to retain possession of that firearm on your current licence in accordance with the authority and conditions of your respective licence.

Further Information:

[National Firearms Agreement](#)

[Weapons Legislation \(Lever Action Shotguns\) Amendment Regulation 2017](#)

Where can I find more information?

The information provided in the FACT Sheet is for general guidance only. Applicants and permit holders should familiarise themselves with the *Weapons Act 1990*, the *Weapons Regulation 2016* and the *Weapons Legislation (Lever Action Shotguns) Amendment Regulation 2017*, which are available on the QLD Legislation website - www.legislation.qld.gov.au.

