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No. , 1915.

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# A BILL

To regulate and license the sale, hiring, carrying, and use of guns and firearms ; to prohibit the use or sale of maxim silencers ; and for other purposes connected therewith or incidental thereto.

[MR. BLACK ;— , 1915.]

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**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

**1.** This Act may be cited as the " Gun License Act, 1915." Short title.

Definition.

33 & 34 Vic.  
c. 57, s. 2.  
3 Edw. 7,  
c. 18, s. 2.

Persons using  
guns must  
have license.

South  
Australian  
Act, 1875,  
No. 6, s. 1.  
cf. 33 & 34  
Vic., c. 57,  
s. 7.

**2.** In this Act the term "gun" includes a firearm of every description, and an air-gun or any other kind of gun, pistol, or revolver from which any shot, bullet, or other missile can be discharged.

**3.** (1) Every person who desires to carry or use any gun shall take out a license under this Act, hereinafter called a "gun license." 5

(2) Any person carrying or using any gun without such license shall, if such offence be committed between the hours of seven ante meridian and seven post 10 meridian, be liable to a penalty not exceeding *twenty* pounds, and if the offence be committed between the hours of seven post meridian and seven ante meridian, to the additional punishment of imprisonment for a term not exceeding six months: 15

(3) Provided that the said penalty shall not be incurred by the following persons, namely:—

(1) By any person in the naval or military service of His Majesty, or in the police force, using or carrying any gun in the performance of his 20 duty or when engaged in target practice.

(2) By any gunsmith or his servant carrying a gun in the ordinary course of the trade of a gunsmith, or using a gun by way of testing or regulating its strength or quality in a place 25 specially set apart for the purpose.

(3) By any person carrying a gun in the ordinary course of his trade or business as a common carrier.

(4) Upon the hearing of any information for any 30 breach of the provisions contained in this section the person complained against shall be required to prove that he is the holder of a gun license duly issued under this Act, or that he comes within one of the classes of persons exempted by the proviso to this section. 35

Gun license  
may be issued.

**4.** Applications in the form prescribed for gun licenses may be made to, and such licenses, in the form prescribed, may be issued by any clerk of petty sessions on the payment of the sum of two shillings and sixpence for every such license, and each license shall be in force 40 until the thirty-first day of December after the date of the issue thereof: Provided

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*Gun License.*

Provided that no such licenses shall be issued to persons under sixteen years of age.

5. A special gun license, in the form prescribed, may, in the same manner, be issued, without fee, to any person above the age of sixteen years who desires to use a gun for the sole purpose of destroying animals proclaimed under any Act of Parliament to be noxious animals.

Special licenses to use gun to destroy noxious animals.

Any person who under such special license, without reasonable excuse, uses a gun for any other purpose than that mentioned above shall be liable to a penalty not exceeding *twenty* pounds.

The provisions of this Act with respect to gun licenses shall apply to such special licenses.

6. A clerk of petty sessions shall not issue any such license, special or otherwise, unless the application for such license is endorsed by the officer in charge of the police station nearest to the place where the applicant usually resides that the applicant is a fit and proper person to have such license.

All applications to be endorsed by police.

7. A list of all such licenses shall be kept open for inspection at all reasonable times at the courts of petty sessions where the same have been issued.

A list of licenses to be kept open. South Australian Act, 1875, N. 6, s. 4.

8. (1) It shall be unlawful to sell by retail or by auction or to let on hire a gun to any person, unless at the time of the sale or hire such person either produces a gun license or gives reasonable proof that he is a person entitled to use or carry a gun without a gun license by virtue of the third section of this Act, or that he is about to proceed abroad for a period of not less than six months, and produces a statement to that effect signed by himself and by a police officer of the district within which he resides of a rank not lower than that of inspector, or by himself, and by a justice of the peace.

Sale or hire of guns. 3 Edward 7, c. 18, s. 3.

(2) Every person who in the course of business sells by retail or lets on hire a gun shall, before delivery, make, or cause to be made, an entry in a book to be kept for that purpose, specifying the description of the gun sold or let on hire, the date of such sale or hire, the name and address of the purchaser or hirer, and the court

Entry to be made of sale or hire.

court of petty sessions from which the gun license produced by the purchaser or hirer was issued, the date of such license or the circumstances exempting such purchaser or hirer from having such license. Such book must be produced for inspection on the request of any 5 officer of police.

Penalty.

(3) If any person—

- (a) contravenes any of the foregoing provisions of this section ; or
- (b) on the sale or hire of a gun knowingly makes, 10 or causes to be made, any false entry or statement as to any matter concerning which he is required by this section to make an entry or statement,

he shall be liable to a penalty not exceeding *twenty* 15 pounds.

Sale of guns to persons under 14, or to persons intoxicated or insane. 3 Edward 7, c. 18, s. 5.

**9.** Any person who knowingly sells, lets on hire, or lends a gun to any person who is under the age of sixteen years, or who is intoxicated, or who is not of sound mind, shall be liable to a penalty not exceeding *twenty-* 20 *five* pounds.

Production of gun license may be demanded. South Australian Act, 1875, No. 6, s. 6.

**10.** Any constable may demand from any person who, at the time of such demand, may be using or carrying any gun the production of the license for so doing, and may also demand from such person his name and 25 address ; and if such person refuses to produce such license or does not give his name and address, or gives a false name or address, he shall for every such offence be liable to a penalty not exceeding *twenty* pounds.

Informations must be laid within a month.

*Ibid.* s. 7.

**11.** Every information for any offence against this 30 Act or the regulations made thereunder shall be laid within one month after the commission of the alleged offence.

Gun found in use of person under fourteen years of age may be seized and confiscated.

**12.** Any constable may seize any gun found in the possession of, and being used or carried for the purpose 35 of use by, any person not being the holder of a gun license under this Act, and such gun shall be forfeited to His Majesty the King.

Toy guns and guns sold as curiosities or ornaments. 3 Edw. 7, c. 18, s. 8.

**13.** The provisions of this Act shall not apply where an antique gun is sold as a curiosity or ornament, nor to 40 a toy gun.

**14.**

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14. Every person who has a gun in his possession shall take all reasonable precautions to ensure the safe keeping of such gun.

Gun owners to take precautions for safe-keeping.

15. Any person who uses, sells, exposes for sale, or has in his possession for the purposes of sale, any contrivance commonly known as a maxim silencer, shall be liable to a penalty not exceeding *twenty* pounds.

Maxim silencers.

16. (1) The Governor may make regulations prescribing all forms necessary under this Act, and generally for carrying out the provisions of this Act, and may in those regulations impose any penalty not exceeding *ten* pounds for any breach of the same.

Regulations.

(2) Such regulations shall—

- 15 (i) be published in the Gazette;
- (ii) take effect from the date of publication, or from a later date to be specified in such regulations; and
- 20 (iii) be laid before both houses of Parliament within fourteen days after publication if Parliament is in session, and, if not, then within fourteen days after the commencement of the next session. If either house of Parliament passes a resolution at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation, such regulation shall therefrom cease to have effect.

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[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No.           , 1915.

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## A BILL

To make provision for levying and collecting harbour and tonnage rates, and berthing and buoyage charges, and for the management and control of public wharves and lands, buildings, or property connected therewith, in certain ports; for regulating the berthing and removal of vessels, the discharging, loading, storing, stacking, and removing of goods on any such wharf; to repeal the Wharfage and Tonnage Rates Act, 1901; to amend the Port Kembla Harbour Act, 1898; and for purposes consequent thereon or incidental thereto.

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