



## Trade Licences

### Purpose of a Trade Licence (s.88 Firearms Act 2024)

- Firearm dealing
- Firearm manufacture
- Firearm repair
- Firearm storage (currently functioning as approved warehouseman)

A multipurpose licence is a Trade Licence for more than one purpose, e.g., Firearm dealing and firearm repair.

### Things to which Trade Licence applies (s.89 Firearms Act 2024)

A Trade Licence applies to the following things:

- Firearms
- Major Firearm Parts
- Ammunition
- Prohibited accessories approved for the licence under section 98. (Approval to apply Trade Licence to prohibited accessories)

### Trade licence limited to a single location (s.91 Firearms Act 2024)

A Trade Licence can only apply to a single location. This means that if you have a firearm dealer business with one store north of the river, and one store south of the river, you require two separate firearm dealer licences.

### Supervision and management of Trade Licence Business (s.93 Firearms Act 2024)

It is a condition of a Trade Licence that the licensee must ensure that the business is personally supervised and managed at all times by a person who is:

- The licensee; **or**
- The responsible person for the licence; **or**
- An authorised person for the licence.

## **Minimum level of business activity for particular Trade Licences (s.90(2) Firearms Act 2024, r.172 Firearms Regulations 2024).**

A minimum level of business activity applies to Firearm Dealer, Firearm Repair and Firearm Manufacture Licences.

The minimum level of business activity required is for the licensee annually to enter into 20 agreements (each an eligible agreement) under which the licensee agrees to the following:

- For a Firearm Dealer Licence – to supply 1 or more firearms or related things to a customer;
- For a Firearm Repair Licence – to repair 1 or more firearms or related things for a customer;
- For a Firearm Manufacture Licence – to manufacture 1 or more firearms or related things for a customer.

If more than 1 eligible agreement with the same customer is entered into within a 24-hour period, the eligible agreements are counted as 1 eligible agreement.

For a multi-purpose licence, the requirement for a minimum level of business activity may be met with eligible agreements for any trade purpose for the licence.

### **Firearm Dealer Licence (s.94 Firearms Act 2024)**

A Firearm Dealer Licence authorises the licensee to do any of the following things in the course of the licensee's firearm dealer business that are approved for the licence:

- Use a thing to which the licence applies for the purpose of testing or demonstration;
- Dismantle a thing to which the licence applies for parts and deal in those parts;
- Accept possession of a thing to which the licence applies for the purpose of its delivery to the licensee under another Trade Licence.

### **Firearm Repair Licence (s.95 Firearms Act 2024)**

A Firearm Repair Licence authorises the licensee to do any of the following things in the course of the licensee's firearm repair business that are approved for the licence:

- Possess ammunition for a firearm to which the licence applies;
- Use a thing to which the licence applies for the purposes of testing;
- Dismantle a thing to which the licence applies for parts and use those parts for the purposes of the repair under the authority of the licence of things to which the licence applies;
- Make an approved alteration to a thing to which the licence applies;
- Carry out maintenance of a thing to which the licence applies.

### **Firearm Manufacture Licence (s.96 Firearms Act 2024)**

A Firearm Manufacture Licence authorises the licensee to do any of the following things in the course of the licensee's firearm manufacture business that are approved for the licence:

- Supply a thing to which the licence applies that is manufactured under the authority of the licence;
- Dismantle a thing to which the licence applies for parts and use those parts for the purposes of the manufacture under the authority of the licence of things to which the licence applies;
- Use a thing to which the licence applies for the purposes of testing or demonstration.

### **Firearm Storage Licence (s.97 Firearms Act 2024)**

A Firearm Storage Licence authorises the licensee to possess a thing to which the licence applies in the course of a business carried on by the licensee for the purposes of the storage of the thing.

### **Requirements for application for grant of licence (r.167 Firearms Regulations 2024)**

An application for the grant of a Trade Licence must include the following:

- The premises (the proposed premises), as referred to in section 91 of the Firearms Act 2024, at which the activities authorised by the licence will be conducted;
- Evidence that demonstrates that the applicant can lawfully carry on the business which the applicant proposes to operate under the licence at the proposed premises. e.g., Local government area approval.
- A business plan that complies with regulation 168;
- Information about insurance that the applicant holds in relation to an activity that would be authorised by the licence;
- If the application relates to a Firearm Repair Licence or Firearm Manufacture Licence – information about the matters of which the regulator must be satisfied under regulation 169 (below);
- If the application relates to a Firearm Storage Licence – the approximate number of firearms or related things that the applicant intends to store under the authority of the licence and the categories of any firearms the applicant intends to store.
- Any other information required under Division 10 for the Trade Licence applied for.

## Restriction on grant of Firearm Repair Licence or Firearm Manufacture Licence (*r.169 Firearms Regulations 2024*)

- The Regulator must not grant a Firearm Repair Licence unless the Regulator is satisfied that the person, or a person who will be an authorised person for the licence, is appropriately qualified to repair the things that will be authorised for repair under the licence.
- The Regulator must not grant a Firearm Manufacture Licence unless the Regulator is satisfied that the person, or a person who will be an authorised person for the licence, is appropriately qualified to manufacture the things that will be authorised for manufacturing under the licence.

For the purposes of the above, the regulator may be satisfied that:

- For different types of things, different persons are appropriately qualified to repair or manufacture the things; **and**
- If the repair or manufacturing of a thing involves more than 1 step – different persons are appropriately qualified to perform the work required for each step.