



National Firearms Program Implementation Act 1998

No. 81, 1998



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**An Act to provide for financial assistance in
connection with the implementation of the national
firearms program, and for related purposes**

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firearms program, and for related purposes**

[Assented to 2 July 1998]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *National Firearms Program
Implementation Act 1998*.

2 Commencement

This Act commences on the day on which it receives the Royal Assent.

3 Definitions

In this Act:

amnesty period, in relation to a Territory, means the period notified by the Attorney-General under section 4 in relation to that Territory.

national firearms program means the program of measures agreed to by the Australasian Police Ministers' Council at its meetings on 10 May 1996, 17 July 1996, 15 November 1996 and 16 July 1997.

qualifying compensation, in relation to a Territory, means compensation, to the extent that it meets the following conditions:

- (a) the compensation is paid under a compensation scheme approved by the Attorney-General in writing for the purposes of this Act;
- (b) the compensation is paid:
 - (i) for property surrendered by a person during the amnesty period; or
 - (ii) to meet a claim for compensation for loss of business lodged by a person during the amnesty period;
- (c) the compensation relates to:
 - (i) self-loading rifles, self-loading shotguns or pump-action shotguns; or
 - (ii) firearms or other weapons certified by the Attorney-General (whether before or after the compensation is paid) to be firearms or other weapons whose surrender is consistent with the spirit of the national firearms program.

Territory means Norfolk Island, the Territory of Christmas Island or the Territory of Cocos (Keeling) Islands.

4 Amnesty period

- (1) The Attorney-General may, by notice in the *Gazette*, notify a period as the amnesty period in relation to a Territory for the purposes of this Act.
- (2) A notice under subsection (1) cannot be amended or revoked.

5 Payments in respect of qualifying compensation

- (1) The Attorney-General may authorise:
 - (a) payments of qualifying compensation in relation to a Territory; or
 - (b) payments to a Territory by way of reimbursement for qualifying compensation paid by the Territory.
- (2) The Attorney-General may authorise the payment to a Territory of advances on account of amounts that are expected to become payable to the Territory under paragraph (1)(b).
- (3) If the total amount paid to a Territory under this section is more than the total amount of qualifying compensation paid by the Territory, then the Territory must repay the excess to the Commonwealth.
- (4) An amount payable by a Territory to the Commonwealth under subsection (3) is recoverable by the Commonwealth as a debt in a court of competent jurisdiction.

6 Other financial assistance and payments

- (1) In addition to payments under section 5, the Attorney-General may authorise:
 - (a) the payment to a Territory of other amounts in connection with the implementation of the national firearms program; and
 - (b) other payments by the Commonwealth in connection with the implementation of the national firearms program.

Section 7

- (2) The total of the amounts that may be authorised under this section and section 5 of the *National Firearms Program Implementation Act 1996* cannot be more than the limit notified under subsection 5(2) of that Act.

7 Appropriation

The Consolidated Revenue Fund is appropriated for payments under this Act.

*[Minister's second reading speech made in—
House of Representatives on 27 May 1998
Senate on 22 June 1998]*

(83/98)