



National Firearms Program Implementation Act 1996

No. 34 of 1996

**An Act to provide for financial assistance and other
expenditure in connection with the implementation
of the national firearms program**

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**An Act to provide for financial assistance and other
expenditure in connection with the implementation
of the national firearms program**

[Assented to 4 September 1996]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *National Firearms Program
Implementation Act 1996*.

2 Commencement

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

3 Interpretation

In this Act:

amnesty period, in relation to a State, means:

- (a) the period starting at the beginning of 10 May 1996 and ending at midnight on 30 September 1997; or
- (b) a shorter period determined in writing by the Attorney-General, on the recommendation of the Minister of that State who is responsible for police matters.

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

qualifying compensation means compensation paid by a State, to the extent to which the compensation meets the following conditions:

- (a) the compensation is paid under a compensation scheme:
 - (i) set up by the State to implement the national firearms program; and
 - (ii) 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 self-loading rifles, self-loading shotguns or pump-action shotguns.

State includes the Australian Capital Territory and the Northern Territory.

4 Financial assistance for qualifying compensation paid by a State

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

5 Other financial assistance and payments

- (1) In addition to payments under section 4, the Attorney-General may authorise:
 - (a) the payment to a State 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.
- (2) The total amount that may be authorised by the Attorney-General under this section cannot be more than a limit notified by the Attorney—General in the *Gazette*. The Attorney-General must notify the limit before authorising any payment under this section.
- (3) A notice under subsection (2) cannot be amended or revoked.

6 Nature of payments to States under this Act

Payments to a State under this Act are by way of financial assistance to the State.

7 Appropriation

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

Section 7
