

EXPLANATORY STATEMENT
STATUTORY RULES 1988 NO. 17
ISSUED BY THE AUTHORITY OF THE
MINISTER FOR DEFENCE
AUSTRALIAN RIFLE CLUB REGULATIONS (REPEAL)

Under section 124 of the Defence Act 1903 ("the Act"), the Governor-General may make regulations, not inconsistent with the Act, prescribing matters which the Act requires or permits to be prescribed, or which are necessary or convenient to be prescribed, for securing the good government of the Defence Force, or for carrying out or giving effect to the Act. Paragraphs 124(1)(j) and (k) of the Act enable regulations to be made for the establishment, administration and control of rifle clubs and associations. Paragraph 124(1)(ka) enables regulations to be made for rifle clubs to conduct canteens providing intoxicating liquor.

Under section 123G of the Act, the Minister for Defence may make orders, not inconsistent with the Act, for and in relation to the control and administration of rifle ranges. Paragraph 123G(1)(c) enables orders to be made for the carriage, possession or use of firearms on or in connection with a rifle range.

The Australian Rifle Club Regulations ("the Regulations"), made under the Act, prescribed arrangements involving the Defence Organisation in the establishment, administration and control of rifle clubs and associations. For some time now rifle clubs and associations have had no Defence significance and it is no longer appropriate for the Defence Organisation to be involved in their affairs.

It was therefore decided that the Regulations be repealed. The intention is that the rifle clubs and associations will have the same status as any other sporting clubs and associations: they will be responsible for their own administration and control, within the framework established by the National Rifle Association of Australia.

As an interim measure, it was decided to make an Order under paragraph 123G(1)(c) of the Act and new Defence (General) Regulations under paragraph 124(1)(ka) of the Act to maintain existing exemptions from State and Territory laws relating to firearms and liquor licensing respectively. (Those exemptions were contained in regulation 80 of the Regulations.) It is proposed that the new exemption provisions will remain in force for approximately 6 months, to give the rifle clubs and associations time to adjust to State and Territory laws, and will then be repealed.

The Order relating to firearms is to be made separately by the Minister for Defence and the new Defence (General) Regulations are contained in a separate Statutory Rule.

Australian Rifle Club Regulations (Repeal)

This Statutory Rule repeals the Regulations.

Commencement

The Statutory Rule comes into operation on the date of gazettal.

S.R. 309/87