

FIREARMS REGISTRY

Schedule 1 Prohibited Weapons

Safe Storage Levels 1, 2 & 3

A person who holds a prohibited weapon permit and is in possession of prohibited weapons as listed in Schedule 1 of the Weapons Prohibition Act 1998 must comply with the safe storage requirements of the Weapons Prohibition Act 1998 and the Weapons Prohibition Regulation 2009.

This FACT sheet provides information on the legislative requirements for safe storage of Schedule 1 prohibited weapons.

What are prohibited weapons?

A prohibited weapon is any weapon described in Schedule 1 of the Weapons Prohibition Act 1998 (the Act).

For a complete list of the prohibited weapons itemised in Schedule 1, including item numbers, please see the FACT Sheet 'Schedule 1 Prohibited Weapons' available on the Prohibited Weapon Permit page on the Firearms Registry Internet site.

What are the requirements for the safe keeping of prohibited weapons?

All persons in NSW are subject to the general requirement for safe keeping of prohibited weapons - section 32A of the Act:

Any person possessing a prohibited weapon must take all reasonable precautions to ensure the weapon is kept safely, is not lost or stolen and does not come into the possession of an unauthorised person.

What safe storage levels are prescribed for prohibited weapons?

There are three levels of storage applicable to prohibited weapons being level 1, level 2 and level 3 requirements.

A person who has stored their weapons in accordance with these minimum requirements, or exceeded the minimum requirements, will be considered to have taken all reasonable precautions for that class of weapon.

For information on safe storage levels specific to each of the prohibited weapons itemised in Schedule 1 to the Act, please see the FACT Sheet:

'Recommended Safe Storage Levels for Schedule 1 Prohibited Weapons' available on the Firearms Registry Internet site

What are the requirements for level 1 safe storage?

Section 32B of the Act provides mandatory minimum requirements for level 1 safe keeping and storage of prohibited weapons as follows:

- * When any weapon is not actually being used or carried, it must be stored in a locked receptacle of a type approved by the Commissioner and that is constructed of hard wood or steel and not easily penetrable, and
- * If the receptacle weighs less than 150 kilograms when empty, it must be fixed in order to prevent its easy removal.
- * The locks of such a receptacle must be of solid metal and be of a type approved by the Commissioner.

Failure to meet these requirements is an offence carrying a fine of 20 penalty units, or imprisonment for 6 months or both.

A permit holder does not have to meet the level 1 requirements if they have provided alternative safe storage arrangements that exceed the minimum requirements of section 32B of the Act.

What are the requirements for level 2 safe storage?

Section 32C of the Act provides mandatory minimum requirements for level 2 safe keeping and storage of prohibited weapons as follows:

- * When a weapon is not actually being used or carried, it must be stored in a locked steel safe of a type approved by the Commissioner and that cannot be easily penetrated.
- * The safe must be bolted to the structure of the premises where the weapon is authorised to be kept.

Failure to meet these requirements is an offence carrying a fine of 50 penalty units, or imprisonment for 1 year or both.

A permit holder does not have to meet the level 2 requirements if they have provided alternative safe storage arrangements that exceed the minimum requirements of section 32C of the Act.

What are the requirements for level 3 safe storage?

Section 32D of the Act provides mandatory minimum requirements for level 3 safe keeping and storage of prohibited weapons as follows:

- * The area or room where the weapons are stored must be part of a permanent building with secure locks on all entrances.
- * The area or room must have solid walls that provide a substantial barrier to forced entry.
- * Any window in the area or room must be covered with a security screen.
- * Doors leading into the area or room must be made of solid material or be reinforced by steel.
- * Each door must be fitted with a 'dead latch' type lock, or be fitted with a hasp/barrel bolt and padlock.
- * Door hinges must be concealed or the hinge pins must be welded to prevent them from being punched out.
- * The weapon must be stored in the area or room in a locked steel safe of a type approved by the Commissioner and that cannot be easily penetrated.
- * The safe must be bolted to the structure of the area or room where the weapon is authorised to be kept.

Failure to meet these requirements is an offence carrying a fine of 100 penalty units, or imprisonment for 2 years or both.

A permit holder does not have to meet the level 3 requirements if they have provided alternative safe storage arrangements that exceed the minimum requirements of section 32C of the Act.

Related Information

See FACT Sheets:

'*Schedule 1 Prohibited Weapons*', and

'*Recommended Safe Storage Levels for Schedule 1 Prohibited Weapons*'.

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Where can I find more information?

The information provided in the FACT Sheet is for general guidance only. Applicants and licensees should familiarise themselves with the *Weapons Prohibition Act 1998* and the *Weapons Prohibition Regulation 2009*, which are available on the NSW Legislation website - www.legislation.nsw.gov.au.



NSW Police Force
www.police.nsw.gov.au

