

Firearms

1996

Preamble

1. Firearm ownership and use are public health issues. The AMA supports legislation restricting access to firearms. Such legislation reduces morbidity and mortality associated with firearm use.
2. Most firearm-related deaths in Australia are suicides within the families of gun owners.
3. Restricted access to firearms reduces the impulsive purchasing and use of firearms and their use in intentional acts of violence, including suicide.

Registration

1. All firearms should be registered. Such registration should include the name and address of the owner and the make, type, action, calibre, and serial number of the firearm.
2. Failure by the owner to notify his or her change of address or change in location of storage of the weapon should carry a significant penalty, ultimately non-renewal of the licence and confiscation of the weapon.
3. A component of the firearm registration fee paid by the owner should be applied to research into gun-related deaths and injuries, and to the education of the community into the public health and safety aspects of owning a firearm.

Licence Categories

1. To ensure consistency amongst Australian states and territories, a National Firearms Licensing Register should be established.
2. Private ownership of handguns (including pistols) should be restricted to registered members of gun clubs.
3. No persons, other than military and police personnel specifically authorised to carry such weapons, should be permitted to use automatic and semi-automatic weapons (including machine guns).

Basic Requirements

1. The national licensing system should require:
 - (a) a minimum age;
 - (b) restriction of licences to people who can prove identity through a system requiring a passport or multiple types of identification;
 - (c) a 28-day cooling-off period between application for and issuing of a licence, during which period it should be illegal to borrow and use a firearm;
 - (d) that licences be refused if investigation of police records reveals current restraining or protection orders, or conviction of an indictable offence involving firearms and/or violence, within the previous five years;
 - (e) the right to an independent appeal against the refusal of a firearms licence;

- (f) that applicants be able to produce evidence, at the time of application, that specific firearms storage arrangements are in place;
 - (g) that applicants be able to demonstrate appropriate training and qualification relevant to the firearm to be licensed; and
 - (h) the licence to bear a photograph and the address of the licensee and to be endorsed with the category of firearm.
2. Licences should be issued for periods of no more than 3 years.
 3. Licences should be issued subject to their suspension or cancellation and to confiscation of the firearms where the threat of violence, particularly domestic violence, is reasonably suspected.

Mutual Recognition

1. There should be a general recognition of a firearms licence issued in the owner's home jurisdiction, in each interstate jurisdiction for a maximum of 3 months, in accordance with the national standards.

Requirements for Registration

1. Genuine reason should be a requirement for the issue of all firearm licences, which should be specific for weapon categories.
2. Genuine reasons include sporting activities with valid membership of an approved club, legal hunting, vermin destruction, occupational requirements and bona fide collection of lawful firearms.
3. Collectors of antique weapons, ie. those manufactured prior to 1900, should not be required to render weapons permanently inoperable.
4. Collectors of weapons manufactured after 1900 should be allowed only a small number of operable weapons.
5. Collectors should not possess ammunition for collection firearms.

Prerequisite Training

1. Successful completion of a rigorous and standardised accredited training course in firearm safety should be a prerequisite to the issuing of licences for all new licencees.
2. State authorities should be responsible for the accreditation and monitoring of a course syllabus for firearms safety training, and for the accreditation of instructors.
3. Courses should focus on the public health risks associated with owning and using a firearm, firearms laws, firearms competence and safety – particularly the use of and separate storage of working parts of firearms and ammunition.
4. Continuing firearms safety education should be required as part of the reissuing of a firearms licence.
5. The development of training systems and resources should be financed from fees levied on training course participants.

Security and Storage

1. Statutory requirements for the storage of weapons and the owner's arrangements to meet those requirements should be described on the firearms licence.
2. Failure to store firearms in the prescribed manner should be an offence which could lead to cancellation of the licence and confiscation of the weapons.
3. Firearms should be stored in steel, locked, childproof, safe cabinets. Ammunition should be stored elsewhere, but in a similar manner. Firearms should be rendered inoperable whilst in storage by removal of one working part which should be stored elsewhere.
4. Metropolitan recreational club members should, unless travelling to competitions, be required to store working parts of firearms at the club site.
5. Licence holders must take all responsible precautions to ensure that their firearms are not lost or stolen. Loss or theft must be reported immediately to the police; failure to report should attract a significant penalty.

Sale of Firearms

1. There should be no retail mail order sales of firearms within Australia.
2. Sales of modern firearms and ammunition should occur only through licensed firearms dealers.
3. The purchase of firearms by persons in remote locations may require special provisions.
4. Advertising of firearms should be restricted exclusively to specialist shooting magazines published by approved Associations.
5. Sales of antique weapons should be permitted between licensed collectors.

Recording of Sales

1. Firearms dealers should continue to be obliged under penalty to ensure that purchasers are appropriately licensed for the firearms to be purchased.
2. Firearms dealers should be required to record and maintain details (type, make, calibre and serial number) of each weapon purchased or sold against the identity (name, address and licence number) of the seller or the purchaser.
3. Firearms dealers should be required to provide records to the National Register of Firearms through the State/Territory licensing authority.
4. All sales of firearms, except antique weapons, should be to or through a licensed firearms dealer.
5. All purchase of firearms, except antique weapons, should be from or through a licensed firearms dealer.
6. No person should be able to buy ammunition for weapons other than those for which they hold a licence.
7. Police personnel should have the right to inspect the records of licensed gun dealers without the need to give notice to the licensee.

Importation of Firearms

1. The importation of fully automatic and semi-automatic weapons, including machine guns, should be limited to military and police authorities.

Reporting by Doctors

In exceptional circumstances, doctors may need to report patients considered to be at serious risk of gun violence, as provided for in the AMA's *Code of Ethics, February 1996*; that is:

- "1.3(d) Keep in confidence information derived from your patient, or from a colleague regarding your patient, and divulge it only with the patient's permission. Exceptions may arise where the health of others is at risk or you are required by order of a court to breach patient confidentiality."