

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES – 20 OCTOBER 2014

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE14/044) PROGRAMME – Australian Customs and Border Protection Service

Senator Leyonhjelm (L&CA 105) asked:

Senator LEYONHJELM: Where I am heading with this is that some people have told me that there has been a variable application of interpretations of what a firearm part is. Some are permitted and some are not. The people interpreting what they think the rules are have different ideas of what is permitted. Have you heard anything along those lines?

Mr Quaedvlieg: No, I have not.

Senator LEYONHJELM: Are you aware of any telescopic sights having been regarded as accessories and not being allowed in?

Mr Quaedvlieg: Not that I am aware of.

Senator LEYONHJELM: Red dot sites?

Mr Quaedvlieg: No, I do not know.

Senator LEYONHJELM: Fine. That is an acceptable answer. Can I put it on notice?

Mr Quaedvlieg: Absolutely.

Senator LEYONHJELM: Could you investigate, please, what the nature of the firearm parts are precisely?

Mr Quaedvlieg: On those particular ones you have just mentioned or more broadly?

Senator LEYONHJELM: I am looking for springs, firing pins—things that are being blocked because they are regarded as firearm accessories.

Mr Quaedvlieg: Thanks. That is sufficient detail. We will be able to provide an answer on notice.

Answer:

Regulation 4F of the *Customs (Prohibited Imports) Regulations 1956* (the Regulations) defines a **firearm part**, for a firearm, to mean any of the following items, whether or not complete, damaged, temporarily or permanently inoperable, or unfinished:

- a) a gas piston, friction ring, action bar, breech bolt or breech block;
- b) a firearm barrel;
- c) a trigger mechanism;
- d) a frame or receiver;
- e) a slide;
- f) an upper receiver;
- g) a lower receiver;
- h) a revolving cylinder;
- i) a bolt carrier;

- j) something, other than a complete firearm, that includes one or more of the items mentioned in paragraphs (a) to (i).

The effect of the definition is that some items used in a firearm are not treated as 'firearm parts' by themselves, such as a screw, spring or other minor components.

A ***firearm accessory*** means any of the following devices, whether or not complete, damaged, temporarily or permanently inoperable, or unfinished:

- a) a silencer, sound moderator, sound suppressor or any other device designed to, or capable of, reducing the noise of discharge of the firearm;
- b) a device designed to modify, or capable of converting, a firearm to give it any of the following capabilities:
 - (i) burst fire;
 - (ii) semi-automatic operation;
 - (iii) fully automatic operation;
- c) a folding stock;
- d) a detachable stock;
- e) an adjustable stock;
- f) a firearm part to which a firearm accessory is attached or is integral.

A telescopic sight for a firearm, commonly called a scope, is not considered a firearm part or a firearm accessory under the Regulations and does not require permission to import into Australia.