

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Program: 1.7 National Security and Criminal Justice

Question No. SBE16/071

Senator Watt asked the following question at the hearing on 18 October 2016:

Senator WATT: It may be that some of these questions need to go to Senator Brandis's department rather than to you, but there have obviously been some reports today that the government is or was considering removing the ban on the Adler A110 lever action shotgun in response to concerns from Senator Leyonhjelm. Has your agency or the department prepared any documents as part of the National Firearms Agreement review recommending a relaxation of restrictions on that weapon?

...

Senator WATT: Have you or your department been asked to prepare any documents advocating that the ban on that weapon be removed?

Mr Bouwhuis: I might, perhaps, clarify. The ban has always been in place while the NFA is being negotiated, and that has been a clear and consistent position which the government has had all along. I can track back press releases for a number of years. But the government's consistent position throughout the negotiation of the NFA has been that the import ban would be in place until the NFA agreement is reached and the states and territories reach agreement, so I am not sure what the change in position that you are alluding to is exactly.

Senator WATT: I suppose there has been some reporting today, and it is a little bit unclear about whether the government's position has changed or not. Are you aware of any discussions that have occurred with state governments about a potential relaxation of that ban?

Mr Bouwhuis: Just to be clear, my understanding is that there has not been any change in policy, and I could quote you back press releases which the minister issued back in 2015 basically to the effect which the minister outlined in parliament today that the import ban is basically just in place until the NFA is agreed. Once the NFA is agreed and implemented then presumably the import ban would be lifted. That has been the consistent policy throughout, and I could table those press releases if that would assist the committee.

Senator WATT: Sure.

Senator Brandis: I can confirm that the position that Mr Keenan stated in the House of Representatives today is the position of the government. That has not changed.

Senator PRATT: When were weapons of that type first banned?

Mr Bouwhuis: I think the ban came in around 2015, but I have to go back and check the dates on that. But I can do that relatively quickly, if you wish.

The answer to the honourable senator's question is as follows:

The *Customs (Prohibited Imports) Amendment (Firearms and Firearm Magazines) Regulation 2015*, which introduced a prohibition on the importation of lever action shotguns with a magazine capacity of more than five rounds, was passed by the Executive Council on 6 August 2015 and commenced the following day.