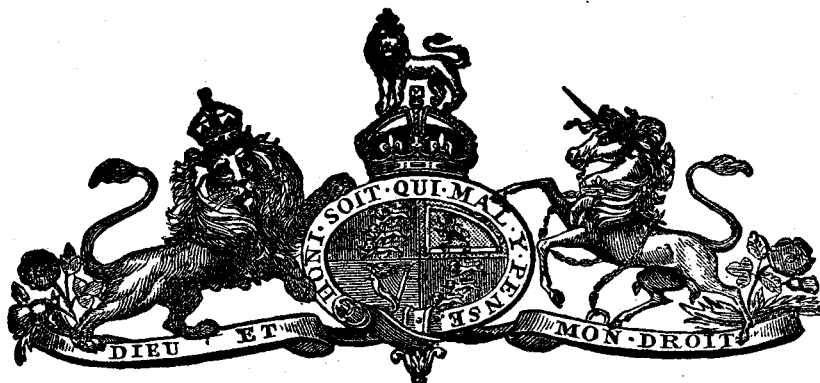


TASMANIA



1918.

ANNO NONO

GEORGI V. REGIS.

No. 41.

ANALYSIS.

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|---|---|
| <ul style="list-style-type: none"> 1. Short title.
Repeal of Sections 204 to 207 of 5 Ed. VII. No. 30. 2. Definition of exempted person. 3. Prohibition of use of firearms or ammunition by persons under 16 years of age. 4. Prohibition of sale of firearms or ammunition to persons under 16 years of age. | <ul style="list-style-type: none"> 5. Seizure of firearms unlawfully used. 6. Power to appoint persons to execute the Act. 7. Obstruction of officers. 8. Court may judge of age. 9. Aiders and abettors. 10. Penalty for offences. 11. Regulations. 12. Summary procedure. |
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AN ACT to restrict the use of Firearms by ^{A.D.} 1918.
 Young Persons, and for other purposes.
 [14 January, 1919.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

- 1**—(1) This Act may be cited as “The Use of Firearms Restriction Act, 1918.” Short title.
- (2) Sections Two hundred and four to Two hundred and seven inclusive of “The Police Act, 1905,” are hereby repealed. Repeal of Sections 204 to 207 of 5 Ed. VII. No. 30.

Use of Firearms Restriction.

A.D. 1918.

Definition of
exempted person.
Cf., No. 1321,
1917, s. 2 (S.A.).

2—(1) In this Act "exempted person" means and includes --

i. Any person who is a member of the naval or military forces of the Commonwealth, whilst engaged in the performance of his duties as such member :

ii. Any person whilst engaged in shooting, or acts incidental thereto, in any shooting gallery which is used with the permission, in writing, of the—

(a) Commissioner or Acting-Commissioner of Police ; or

(b) Municipal Council within whose Municipality such gallery is situate :

iii. Any person whilst practising, under proper supervision, with a Morris tube or miniature rifle on a properly constructed miniature rifle range :

iv. Any person being a gunsmith or seller of firearms, or an employee of such person, whilst engaged in the performance of the duties of a gunsmith or seller of firearms.

(2) In this Act "firearm" includes air-gun.

No. 146, 1908,
s. 26 (8), N.Z.

Prohibition of use
of firearms or am-
munition by per-
sons under sixteen
years of age.

Ibid., S.A., s. 3(1).
Cf., N.Z., s. 26

(2).

Prohibition of sale
of firearms or am-
munition to per-
sons under sixteen
years of age.

Ibid., S.A., s. 3

(2).

Ibid., N.Z., s. 26

(1).

Seizure of firearms
unlawfully used.

Ibid., S.A., s. 4.*Ibid.*, N.Z., s. 26

(4).

3 Whosoever being under the age of Sixteen years (not being an exempted person) uses, discharges, carries, buys, keeps, or knowingly has in his possession, any firearm, or any kind of ammunition for a firearm shall be guilty of an offence against this Act.

4 Whosoever sells, gives, lends, or in any way supplies any firearm or any ammunition for a firearm to any person (not being an exempted person) under the age of Sixteen years, shall be guilty of an offence against this Act.

5 Any firearm or any ammunition which is being used or carried by, or which is in the possession or custody of, any person apparently in contravention of this Act, whether such firearm or ammunition is in any enclosure, building, tent, vessel, vehicle, or parcel whatsoever, may be seized, with or without warrant, by any member of the police force, or any person appointed by the Attorney-General of the State under Section Six of this Act, and, when so seized, shall be retained in his possession until an order is made by a police magistrate or any Two or more justices (which order such magistrates or justices are hereby authorised to make) for the disposal, destruction, or return to the owner, of such firearm or ammunition.

Power to appoint
persons to execute
the Act.

Ibid., S.A., s. 5.

6—(1) The Attorney-General of the State may, by instrument signed by him, appoint any persons to exercise the powers conferred by this Act on members of the police force ; and every person so appointed shall have and may exercise, subject to the terms of the instrument appointing him, all or any of such powers.

(2) Every person appointed under this section shall, upon exercising any of such powers, produce his instrument of appointment to any person demanding the same.

Use of Firearms Restriction.

- 7** Whosoever, in any way, resists, hinders, obstructs, or interferes with any member of the police force or other person in the exercise of any of his powers under this Act, shall be guilty of an offence against this Act. A.D. 1918.
Obstruction of officers.
Ibid., S.A., s. 6.
- 8** For the purpose of proceedings under this Act, the police magistrate or justices adjudicating may decide, upon his or their own view and judgment, whether any person charged or present has attained the age of Sixteen years, but nothing herein contained shall be construed so as to prevent the age of such person being proved. Court may judge of age.
Ibid., S.A., s. 7.
Ibid., N.Z., s. 26 (5).
- 9** Whosoever aids, abets, counsels, or procures, or by act of omission is in any way directly or indirectly concerned in the commission of any offence against this Act, shall be deemed to have committed such offence, and shall be punishable accordingly. Aiders and abettors.
- 10** Any person who is guilty of an offence against this Act shall, in the case of a First offence, be liable to a penalty not exceeding Five Pounds, and, in the case of any subsequent offence, shall be liable to a penalty of not less than One Pound nor more than Ten Pounds. Penalty for offences.
Ibid., S.A., s. 8.
- 11**—(1) The Governor may make regulations for carrying out the provisions and objects of this Act. Regulations.
Ibid., S.A., s. 9.
- (2) Any such regulation may impose penalties for offences against the same not exceeding Forty Shillings for each offence.
- 12** All proceedings in respect of offences against this Act shall be disposed of summarily. Summary procedure.
Ibid., S.A., s. 10.

