



Federation of Hunting Clubs

Submission into proposed Explosives Regulation 2013.

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Federation of Hunting Clubs

The Federation of Hunting Clubs Inc. (the Federation) is an umbrella organisation of 52 clubs representing hunters and shooters from metropolitan, rural and regional parts of New South Wales (NSW). The Federation was established in 1996 following the introduction of the Firearms Act 1996 and is recognised in the NSW Firearms Regulation 1996 as a peak association for satisfying the 'genuine reason' for issuance of firearm licenses and recognition of clubs.

Federation members include: A.S.C Hunting Club Inc., All Seasons Hunting Club Inc., Australian Hunting Net Inc., Badgery's Creek Hunting Club Inc., Bowra Hunting Club Inc., Bulahdelah Hunting and Social Club Inc., Canobolas Hunting Club Inc., Cessnock District Hunting Club Inc., Clarence Valley Hunters., Cowra Rifle Club., Guyra Hunting Club Inc., Hastings Valley Hunting Club Inc., Hawkesbury Hunting Club Inc., Highlanders Hunting and Target Club Inc., Hills Hunting and Angling Club Inc., Hornsby RSL Rifle Club No. 385 Inc., Illawarra Big Game Safari Club Inc., IRSA Hunting Club Inc., Malabar Hunting Club Inc., Marconi Clay Target Club Inc., Marksman Hunting and Angling Club Inc., Nepean Hunters Club Inc., Newcastle Dis-strict Hunting Club Inc., North West Hunting Club Inc., Northern Zone Hunting Club Inc., Orana Hunting Club Inc., Oxley Pistol Club., Peninsula Firearms Academy, Rangers Rifle Club., Safari Club International Down Under Chapter Inc., Game Hunters Association Australia Inc., Singleton Hunting Club Inc., Southern Riverina Hunting Club Inc., Hunters and Fishermen's Association of NSW Inc. 'Artemis', Three Rivers Big Game Hunting Club Inc., Valleybrook Hunting Club Inc., West Darling Outdoor Recreation and Hunting. Illawarra Hunting Club, Wingecaribee Hunters and Anglers, Hunting Club of Australia Pty Ltd, Smoking Barrells, Tenterfield Pistol Club, Parramatta Pistol and Shooting Club, Springwood Pistol Club, Nth East NSW Hunting Club, Port Macquarie Smallbore Club.

As a recognised peak body for shooting and hunting clubs our submission will be focused on the potential adverse impacts of this regulation on firearm owners, clubs and dealers.

General commentary

The proposed changes are seemingly built upon bad logic. The international standard for categorising explosives separates explosives into categories and subcategories such as 1.1-1.4 with more dangerous elements being categorised by lower numerals, noting propellant powder which is used by firearm owners in the reloading of ammunition fits in one of the less risky categories. This proposed regulatory change proposes to lump all elements under one in some misguided attempt at one size fits all model. A one sized fits all model might be convenient for drafters of said regulation in simplifying their task, but it is not conducive to fit for purpose and effective regulation.

Removal of licence requirements for the low-quantity storage of explosives in all NSW Police stations (Clause 47)

The only commentary the Federation of Hunting Clubs will make on this, is that under the proposed regulations there will be a discrepancy between what a police station can hold and what a licenced firearm owner can hold. Limiting a police officer/station to holding and storing 10kg when a licenced firearm owner can hold 12kg propellant powder, will mean that a police officer/station would be in breach of the regulation as soon as they were made to seize a firearm owners firearms, ammunition and powder. This seems to be an oversight and should be addressed to avoid the embarrassment of the government having to prosecute itself.

Proposed limiting individual firearm owners to storage 12kg of powder

At the very onset, Federation of Hunting Clubs rejects this proposal. The regulatory impact statement states the following

The 2013 Regulation provides that licenced holders under the Firearms Act 1996 are not required to be licenced to store up to 12kg of propellant powder. Issues with compliance have been identified wherein multiple licence holders, at a single residential address, are each able to store up to 12kg of propellant power - resulting in the unsafe accumulation of propellant powder.

The use of the phrase “Issues with compliance” is horribly misleading, deceptively so. Under the Firearms Act 1996 and the 2013 regulation. Multiple firearm owners at one residence are acting perfectly within the law by each holding 12kg of propellant powder. There is no compliance issue, to suggest so is misleading and deceptive. If one has to mislead and deceive to justify a proposal, then one must question the merits of the proposal.

The further commentary that this resulted in unsafe accumulation of propellant powder is vague, subjective and not based in fact. The average international limit for private residence storage is 25kg and we draw the governments attention to the UK’s regulations regarding private storage of propellant powder.

[The Explosives Regulations 2014 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2014/12/section/12)

There has been no documented evidence to suggest any adverse incidents have occurred from private residences that have multiple firearm licence owners holding above 12kg of propellant powder, therefore it would seem that this proposal is without evidence or data to back it up. Any proposed regulation change or change in legislation should be able to demonstrate the “problem” its attempting to resolve and it should be backed up by data in terms of the “problem and evidence that the change will address said problem. This proposal has failed to demonstrate any of that, and should be rejected on that alone. It is perceived by our members that this is just a blatant attempt to lay the boot into law abiding firearm owners again, purely because the government believes it can.

Federation of Hunting Clubs finds this approach to regulation and law making utterly reprehensible.

The impact of limiting supply to 12kg per residence demonstrates a lack of understanding in the nature of different types of propellant, how licenced firearm owners utilise propellant powder, and the issues around supply of said propellant powder.

There is not just one powder that suits all reloading needs, there are powders specific to categories of firearm e.g. rifle, pistol, shotgun, as well as powders specifically for calibres of firearm, of which there are 100’s. Many licenced firearm owners that reload, will do so for all their calibres, so it is entirely possible that they would need to hold multiple powder types which would mean they will need to either risk non compliance or make more frequent visits to a firearm dealer to purchase, neither of which is desirable for a proposal that has no basis in evidence.

The main producer of propellant powder in Australia is ADI powder through Thales. They are large suppliers to overseas civilian and military contracts as well as domestic military contracts, the domestic civilian market often plays second fiddle to the others which often creates supply concerns for dealers and in turn affects ability for the individual firearm owners to access powder in the adequate quantities.(See link for further information regarding the range of powders.)

[Product – Powders – ADI World Class Powders and Ammunition](#)

Therefore when it is available firearm owners purchase habits predominately centre around bulk purchases. Which leads into concerns regarding proposed changes to limit dealership quantities

Proposed changes to dealership storage capabilities

The proposed changes to reducing firearm dealer storage capabilities will only exacerbate supply issues for the end consumer. Firearms dealers like any business have operational costs in particular costs of delivery of propellant powder. It is often uneconomical for firearm dealers to order small amounts frequently as opposed to larger amounts less frequently. Once again there has been no demonstrable evidence for such a proposed change, therefore we reject its inclusion.

Proposed changes to transportation

The proposed changes to transportation is not well defined. Firstly, it makes no distinction between commercial transportation or private transportation (I.E. small amounts by firearm owner in transit from place of purchase) This means as drafted it contradicts the Australian Code for the Transport of Explosives by Road and Rail which creates a possible exemption for transportation of small quantities.

CHAPTER 1: SCOPE AND DEFINITIONS

1.1 Scope and Interpretation of this Code

- (1) This Code sets out the requirements which apply to the transport of explosives of Class 1 subject to this Code by road and rail in Australia. This Code does not apply to the transport of explosives by sea or the carriage of explosives by air.
- (2) Nothing in this Code shall apply to the transport of explosives of other than Class 1. However, when other dangerous goods are being transported with goods of Class 1, the provisions of Chapter 7 of this Code and the segregation provisions of Part 9 of the ADG Code may apply (if there is any conflict refer to the Competent Authority).
- (3) Subject to Commonwealth State and Territory legislation this Code may not apply to the transport of explosives as follows:
 - (a) by or on behalf of an emergency service, where the explosives are for use by the service in an emergency or to protect the safety of persons, property or the environment;
 - (b) which have been confiscated or received by, and under the direct supervision of, an emergency service or the Competent Authority in the cause of public safety;
 - (c) where those explosives are unrestricted explosives, being carried for personal use and there is a reasonable excuse for such transport which excludes commercial transport; or
 - (d) where minor quantities of small arms ammunition, propellant powders or cap type primers up to Risk Category 1 in Table 2.1, are carried for personal use and there is a reasonable excuse for such transport which excludes commercial transport.

[australian code transport explosives road rail 3rd edition.pdf \(safeworkaustralia.gov.au\)](https://www.safeworkaustralia.gov.au/australian-code-transport-explosives-road-rail-3rd-edition)

Secondly it lumps all categories of explosives in HD 1, together despite there being multiple sub categories each with varying degrees of stability, reactivity and ultimately risk to storage.

Federation of Huntings Clubs strongly recommends an exemption for individuals carrying small quantities as per the national code, and further dissection of explosives within the class of HD1.

