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Consultation Paper: DRAFT NSW Explosives Regulation 2021

August 2021



Shooters Union NSW Pty Ltd thanks the NSW Government on the opportunity to make a submission on the Proposed Explosives Regulation 2021.

Shooters Union NSW Pty Ltd is affiliated with the NSW Peak Shooting Body, the Game Management Council of New South Wales (Gamecon). Shooters Union NSW Pty Ltd currently has 17,000 financial members that we represent on all shooting related matters.

It should also be pointed out that, despite some information to the contrary, the Sporting Shooters Association of Australia is not the only stakeholder in matters involving shooting & hunting. In fact, at last count there were 24 Peak Shooting Bodies recognised by the NSW Firearms Registry in New South Wales.

The small arms industry in Australia is valued at approx. A\$770 million and at last report exported approx. A\$160 million.

The sporting sectors of recreational hunting and shooting contributed A\$2.4 billion to the Australian economy in 2019, supporting 400 small businesses and more than 19,000 jobs.

Shooters Union NSW Pty Ltd basis its expectation on all regulators of the shooting industry to the COAG Best Practice Regulation Code, which NSW is signatory of.

1. Establishing a case for action before addressing a problem;
2. A range of feasible policy options must be considered, including self regulation, coregulation and non regulatory approaches, and their benefits and costs assessed;
3. Adopting the option that generates the greatest net benefit for the community;
4. In accordance with the Competition Principles Agreement, legislation should not restrict competition unless it can demonstrate that:-
 - a. The benefits of the restrictions to the community as a whole outweigh the costs, and
 - b. The objectives of the regulation can only be achieved restricting competition
5. Providing effective guidance to relevant regulators and regulated parties in order to ensure that the policy intent and expected compliance requirements of the regulation are clear;
6. Ensuring that regulation remains relevant and effective overtime;



7. Consulting effectively with affected key stakeholders at all stages of the regulatory cycle;
and
8. Government action should be effective and proportional to the issue being addressed.

Shooters Union NSW Pty Ltd supports the proposal to no longer require firearms dealers to obtain a security clearance when engaged in activities set out in Clause 48.

Shooters Union NSW Pty Ltd is strongly opposed to the proposal to limit reloading powder to 12kg per household.

The NSW Firearms Act 1996 and subordinate regulation has determined how the supply and possession of ammunition is to be managed.

While NSW Firearms Act 1996 talks of the possibility of limits to how much ammunition can be purchased at any one time, the regulations are silent on any such limit.

This highlights that licensing is the primary control mechanism in place, and that safeguards that surround the issuing of firearms licenses are enough to ensure public safety regarding the access of ammunition and propellant powder.

Propellant powder needs to be removed from the explosives regulations entirely as it is a clear case of regulatory duplication and overreach.

In the Proposed Explosives Regulation 2021, the regulator has failed to articulate what risk to the community they are trying to mitigate with the proposed limit.

The ADI Australia (Australian Munitions) lists that Division 1.3 propellant powder as “low” for flammability hazard rating. In a Division 1.3 a “low risk” quantity is anything up to 50 kilograms.

The regulatory impact statement makes the claim that “the proposed Regulation will ensure that there are not large, unsafe amounts of propellant powder being stored in the community”. The evidence of this risk needs to be provided in far more detail. What is the science behind 11kg being safe and 13kg not being safe? Why 12kg? Why not the 50k as deemed safe by ADI Munitions Australia?

The regulator has not taken into account the effectiveness of existing control methods.

Is the regulator able to supply Shooters Union NSW Pty Ltd with the number of safety issues under the existing regulation over the past 5 years?



A recent case study on the use of propellant powders showed the average full bore competition shooter using a .308 rifle requires 47 grains of ADI AR2208 propellant. This equates to approx. 1300 hundred rounds per 4kg container of propellant. That scenario is for one rifle in a usage scenario.

Current data shows that the average licensed firearm owner in Australia owns 4 firearms.

When more than one licensed firearm owner reside in a household is not uncommon for the household to maintain multiple firearms/calibres requiring different propellant powders. Currently the ADI Munitions Australia catalogue lists 18 uniquely different propellant powders.

Shooters Union NSW Pty Ltd believes that rather than imposing arbitrary limits on the amount of powder held by household, propellant powder should be removed from the remade explosives regulations (for firearm dealers and firearm license holders).

Thank you

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Shooters Union Australia