

## HANDGUN LEGISLATION

1. The purpose of the **Firearms Act 1996** is to give effect to the principle that possession, carriage, use, acquisition and disposal of firearms are conditional on the need to ensure public safety and peace by regulating licensing, registration, storage and education of the community in the safe and responsible use of firearms.
2. To give a brief understanding to prospective handgun licence holders the following summarises some of the important components of the **Firearms Act 1996** applicable to handguns

## HANDGUN LICENCES

3. Section 15 of the **Firearms Act 1996** allows the Chief Commissioner to licence a person to possess, carry or use a handgun for various reasons, including for target shooting.
4. For the purpose of demonstrating that a licence is required for target shooting, the applicant must be a current member of a shooting club or a shooting organisation, which is approved by the Chief Commissioner.
5. To obtain a handgun licence the applicant must:
  - Not be a prohibited person.
  - Be 18 years of age or over.
  - Be a fit and proper person to possess a handgun.
  - Not be a danger to public safety or peace
  - Have passed a course of firearms safety approved by the Chief Commissioner, and have a good knowledge of firearms laws.
  - Can comply with the storage requirement set out by the Act.

### **Handgun Licences for recreational use are subject to the following conditions:**

6. **General conditions** (Contained in Schedule 1 of the Act)
  - The holder of the licence must permit a member of the police force to inspect the holders storage arrangements at any reasonable time.
  - The holder of the licence must not transfer, lend or give the licence to another person.
  - Any firearms held under the licence must not be used for any reason other than the reasons authorised by the licence.

**7. Special Conditions** (Contained in Section 15(2)(b))

- The holder must be a member of an approved club and the firearms held under the licence must only be used at an approved range.

The Chief Commissioner also has power to impose other conditions on a handgun licence.

## **JUNIOR HANDGUN LICENCE**

**8.** Section 18 of the **Firearms Act 1996** allows the Chief Commissioner to licence a person who is over 12 years of age, and under 18 years of age to use handguns of the type specified in the licence for the purpose of receiving instruction in the use of such firearms, or engaging in competition shooting.

**9.** To obtain a junior handgun licence the applicant must:

- Not be a prohibited person.
- Be a fit and proper person to possess a handgun.
- Not be a danger to public safety or peace
- Have passed a course of firearms safety approved by the Chief Commissioner, and have a good knowledge of firearms laws.
- Have the written consent of a parent or guardian.

### **Junior handgun licences are subject to the following conditions:**

**10. General Conditions** (Contained in Schedule 1 of the Act)

- The holder of the licence must not transfer, lend or give the licence to another person.
- Any firearms \*\*used under the licence must not be used for any other reason other than the reasons authorised by the licence.  
\*\* The Act says “held”, but a junior may not hold (i.e. own & possess) firearms under a junior permit.

**11. Special Conditions** (Contained in item 4 of Schedule 2)

- The holder of the licence must not carry or use the handgun under the licence except under the immediate supervision of a person who is the holder of a handgun licence.
- The holder is authorised to carry or use a handgun, the carriage or use of which is authorised by the licence on an approved shooting range.
- The holder is **NOT** authorised to purchase ammunition.

The licence is also subject to any other condition the Chief Commissioner imposes.

## **PERMIT TO ACQUIRE A HANDGUN**

**12.** Section 103 of the **Firearms Act 1996** allows the Chief Commissioner to issue a permit to a person to acquire a handgun if that person is the holder of a licence that authorises the possession of handguns.

**13.** The applicant to acquire a handgun must:

- Not be a prohibited person.
- Be a fit and proper person to possess a handgun.
- Be able to comply with the storage set out under the Act.
- Be able to demonstrate that the reason for which the licence was required continues to apply in respect of the handgun for which the application for the permit was made.
- Can demonstrate a genuine need for the handgun.

**14.** In determining the genuine need to possess, carry or use a handgun the Chief Commissioner must have regard to the number, category and type of firearms already possessed by the applicant.

**15.** Applications for a permit to acquire must be in the form and manner approved by the Chief Commissioner and verified by Statutory Declaration.

**16.** A permit to acquire will not be issued until 28 days have expired after the making of the application and then remains in force for a period of 28 days or until the firearm to which it relates is acquired or the permit is cancelled.

***Note: All transactions involving the acquisition or disposal of handguns must be conducted with or through a licensed firearms dealer.***

## **STORAGE OF HANDGUNS**

17. The requirements for the storage of handguns are set out in Schedule 4 of the **Firearms Act 1996**.
18. Handguns must be stored in a steel safe:
- Which is of a thickness that is not easily penetrable.
  - Which if it weighs less than 150 kilograms when it is empty, must be bolted to the structure of the premises where the firearm is authorised to be kept, and
  - Which, when any firearm is stored in it, is locked.
19. If any more than 15 firearms are stored on the premises where the firearm is stored, the premises must be fitted with an effective alarm system.
20. Any ammunition for the firearm must be stored in a locked container separate from the safe in which the firearm is stored.

## **SAFEKEEPING OF FIREARMS AND AMMUNITION WHILE BEING CARRIED OR USED**

21. Section 126 of the **Firearms Act 1996** requires that a person who is carrying or using a handgun must:
- Ensure that the handgun is carried and used in a manner that is secure and is not dangerous.
  - Must take reasonable precautions to ensure that the handgun is not lost or stolen.

***Note: The onus is on the licence holder to ensure that his handguns are secured at home, whilst traveling to an approved range and whilst shooting at an approved range.***

## **NON-PROHIBITED PERSONS WHO ARE EXEMPT FROM THE REQUIREMENT TO HOLD A LICENCE**

22. Section 3 of the **Firearms Act 1996** exempts certain categories of person from requiring a licence.
23. It includes any person who is of or over the age of 18 years of age who is receiving instruction in the use of a handgun by or under the immediate supervision of the holder of a handgun licence.
24. This only applies when carrying or using at an approved shooting range the handgun specified in the supervisor's licence, for the purpose of receiving instruction.

***Note: This does not apply to persons under 18 years of age and is only for the purpose of receiving instruction, not competition shooting.***

## **OFFENCES**

25. Apart from the general offences relating to possession, using, storing and acquiring handguns, there are many other offences within the Act that can relate to a person possessing a handgun. These include, but are not limited to:
- Failing to notify the Chief Commissioner of a change of address within 7 days of the change of address.
  - Failing to notify the Chief Commissioner of the loss, theft or destruction of a handgun within 24 hours of the event.
  - Failing to advise the Chief Commissioner of the permanent removal of a handgun from Victoria.
  - Failing to produce a licence on demand of a member of the Police Force
  - Failing to produce a handgun for inspection by Police
  - Permitting an unauthorized person to carry or use a handgun.
  - Damaging property with a firearm
  - Using a handgun in a dangerous manner.
  - Carrying a loaded handgun or using a handgun in a town etc.
  - Carrying or using a handgun whilst intoxicated, or under the influence of drugs.

***Note: A finding of guilt at court for an offence against the Firearms Act 1996 (where the court was able to impose a term of imprisonment) or an offence against any other Act involving possession and use of firearms (where the court was able to impose a term of imprisonment) will result in the cancellation of a handgun licence.***

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**SLIDE PRESENTATION**

## THE THREE LAWS OF GUN CONTROL

**First Law:- THE GUN IS ALWAYS LOADED.** Every time you pick up or handle a gun, inspect it in a safe manner (incl. Muzzle direction), and always treat it as a loaded gun.

**Second Law:- NEVER POINT THE GUN AT ANYTHING YOU ARE NOT PREPARED TO SHOOT.** The only safe way to handle guns is to assume the worst-case scenario. The empty gun is going to fire. Since you are prepared for that, you only point the gun in a safe direction. This way, in the event of an unintentional discharge, it will be into a safe impact area and there will not be a tragedy.

**Third Law:- ALWAYS BE SURE OF YOUR TARGET AND WHAT IS BEHIND IT.** Bullets can penetrate a number of items before coming to a halt. Always identify your target and what is behind it before firing. If you are unsure, do not fire. Always ensure there is a safe impact area behind your target before firing.

## COMMON TYPES OF HANDGUN

**Revolvers** The majority of revolvers are six shot breech-loading handguns. A number of centre fire revolvers are currently being manufactured with a seven and eight shot capacity and some rim fire revolvers may hold up to eleven rounds. The majority of revolvers are produced with a solid frame and a swing out type of cylinder having six chambers located around a central axis and can be fired either double or single action. Nearly all revolvers may be fired either single action or double action. Single action refers to a firing sequence when the hammer must be manually cocked and the manipulation of the trigger performs only one function, this being the release of the trigger. Double action refers to a firing sequence when the manipulation of the trigger performs two functions, these being the movement of the hammer from the de-cocked position back through the cocked position and then the release of the hammer as per single action. Some single action type revolvers do not have a swing out cylinder and are loaded/unloaded and checked through a 'loading gate' located on the right hand side of the frame. The following sequence forms the safety precautions for a revolver (swing out cylinder) □ Hold the revolver with the strong hand, ensuring that your finger is outside the trigger guard. Release the cylinder catch and swing out the cylinder. Inspect the cylinder chambers to ensure they are clear of rounds. If rounds are present continue. Whilst maintaining a safe muzzle direction, strike the ejector rod with the palm of the hand. Inspect the cylinder chambers to ensure they are clear of all rounds. Hold the revolver in such a manner that the Range Officer is able to inspect the cylinder and confirm that it is clear of ammunition. On the command "Gun clear, hammer down, holster" (if under the control of a Range Officer), the cylinder is then closed and the revolver is holstered.

NOTE:- It is not necessary to cycle the revolver by depressing the trigger to 'lower' the hammer.

**Semi-automatic pistols** A semi-automatic pistol is a mechanically locked, recoil operated handgun featuring either a single or double action trigger (or combination) and fitted with some form of safety mechanism. The term 'semi-automatic' pistol by accepted usage signifies a handgun in which manipulation of the trigger when the chamber and magazine are loaded will; **1.** Fire the cartridge in the chamber. **2.** Eject the fired cartridge case. **3.** Cocks the firing mechanism ready for the next shot and, **4.** Loads a cartridge from the magazine into the chamber in position for firing. Some gas operated semi-automatic and blowback pistols are available, however the majority of centrefire semi-automatic pistols are "recoil" operated, and .22 self-loading pistols are "blow-back" operated. Some double action pistols perform as single actions once they have been fired as the slide movement re-cocks the hammer while others remain double action only. Magazines for semi-automatic pistols are generally inserted in the grip area through the base of the grip. Some variations may be inserted down through the breech or in front of the trigger guard. Magazine capacity may vary between five and twenty rounds. Only 10 round magazines are legal for civilian use in Australia. The following sequence forms the safety precautions for a semi-automatic pistol;

Hold the pistol in your strong hand, ensuring that your trigger finger is outside the trigger guard. Ensure that the safety catch is in 'safe' position, if possible or applicable. Depress the magazine release and remove the magazine. With the muzzle pointed in a safe direction rack the slide, and allow the cartridge (if present) to eject. Visually inspect the chamber to ensure that there is no round present. On the command, "Gun clear, hammer down, holster" the slide is allowed to travel forward. With the muzzle pointed in a safe direction the trigger is depressed to fire the action. This is the definitive safety check. The pistol is then holstered.

## Basic Ballistics

The purpose of this section is to impart some knowledge to shooters as to what occurs when a firearm is actually fired. A knowledge of how far a bullet will travel is imperative in understanding the dangers associated with all firearms if due care is not utilised in selecting appropriate range areas with suitable backstops. The shooter will utilise centre fire and rim-fire cartridges. Black powder pistols may also be used.

**How a cartridge works** Conventional cartridges as we know them have been in common use in their current form for over 130 years. The cartridge comprises the following components:-

The cartridge case is generally made from brass, however examples may be found of copper, aluminium or steel. Brass cases are suitable for reloading due to the inherent properties of brass that allows the case to expand and contract during the discharge of the round. The brass case can be resized during the reloading process.

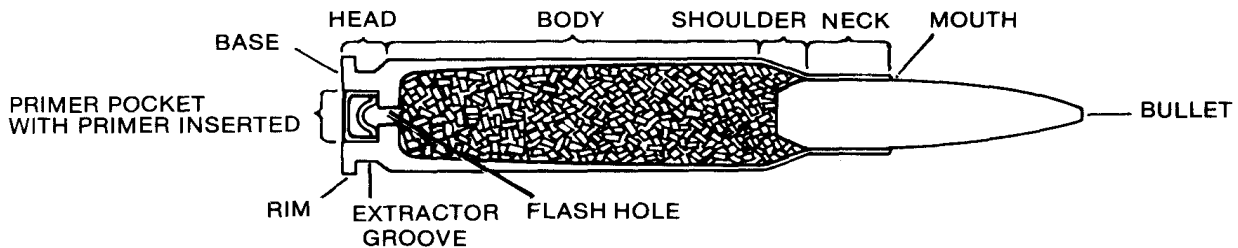
Primers come in two types in cartridges, centre fire and rim-fire. Rim-fire cartridges cannot be reloaded. The priming compound is located in the rim of the cartridge cases and is ignited when the firing pin strikes the rim of the case detonating the primer compound. This priming compound is placed in the rim during the manufacturing process and is unable to be replaced. Centre fire cartridges as their name denotes have a primer located in the centre of the cartridge case base. The primers in centre fire cases are replaceable which enables the cartridge to be reloaded. Centre fire primers are self-contained units and consist of a cup, priming compound and anvil. When the firing pin strikes the primer the priming compound is ignited when the compound is compressed between the cup and the anvil.

Propellant Powder is designed to progressively burn and create vast volumes of gas that drives the projectile out of the barrel.

Smokeless powder was developed in the latter part of the 1800's and is based on a nitrocellulose material. Propellant powders are manufactured to burn at various controlled speeds. Calibre, bullet weight and desired velocity are all taken into consideration in the process of selecting a powder for a particular use. Propellant powders should never be blended and recommended loads should never be exceeded.

Projectiles come in a multitude of designs, weights and sizes. The designs of many projectiles lend themselves to particular applications. Round nose, wad-cutter, semi wad-cutter, hollow point and truncated cone are just a few of the many designs available. Projectiles may be manufactured from lead of varying degrees of hardness. These lead projectiles may be gas-checked, Teflon coated, tin or copper washed. Jacketed, semi jacketed or solid copper projectiles are also available.

## DIAGRAM OF CENTRE FIRE CARTRIDGE (sectioned)



A cartridge is fired when the firing pin firmly dents the primer, the priming compound is crushed between the anvil and the primer cup and the primer compound detonates. The ignition of the primer sends a flame (in the case of a centre fire cartridge) through the primer hole in the base of the cartridge case into the propellant charge. The propellant inside the cartridge case ignites and burns at an even rate, albeit incredibly fast. There is a common misconception that the propellant powder explodes and the force of this explosion is what discharges the projectile. This is a fallacy. What actually occurs is that the powder commences to burn and produces hot expanding gases. It is the pressure from these expanding gases that exerts pressure in all directions and eventually drives the projectile down the barrel. As the gases expand they seek an avenue of least resistance. As the breech mechanism of the firearm does not allow the gases to escape through the chamber area this leaves the projectile as the area that offers the least amount of resistance. The expanding gases start the projectile down the barrel. The propellant powder continues to burn and accelerates the projectile up until the point where the projectile exits the barrel. As the projectile travels down the barrel the expanding gases force the projectile into the rifling in the barrel that in turns causes the projectile to spin at the same rate as the twist in the barrel. This spinning enhances the stability of the projectile and aids in the accuracy of the firearm. As each action must have an equal and opposite reaction we discover that the reaction to the discharge of the projectile is what is known as recoil. The force generated and imparted to the projectile is equalled by a similar force which forces the firearm rearwards. The amount of recoil felt when firing a gun is the maximum amount of force that can be delivered by the projectile when it strikes a target.

The average maximum range of a handgun round is in the vicinity of 2 kilometres, however some magnum handgun rounds can travel out to 3 kilometres. Therefore a shooter must always remain acutely aware of what is behind the target at which they are shooting and the effectiveness of any backstops.

## Bullet Path

From the time the projectile leaves the barrel it immediately comes under the effect of gravity and air resistance. These two forces progressively slow the projectile down and cause the projectile to fall to the ground. As a result as the target range increases the shooter has to aim higher to strike the target. At the ranges in which a handgun is generally used (up to 50 metres) this effect is generally negligible and is greatly affected by such factors as bullet weight and velocity.

