



14 November 2023

WA Police

Via email: firearmsactreform@police.wa.gov.au

PGA SUBMISSION

Firearms Act Reform Consultation Paper

INTRODUCTION

The Pastoralists and Graziers Association of WA (PGA) is a non-profit industry organisation established in 1907, which represents primary producers in both the pastoral and agricultural regions of Western Australia.

Current membership numbers equate to 84% of all pastoral leases, excluding Indigenous and conservation leases, and 21% of broadacre producers in the agricultural regions of Western Australia. This includes grain, livestock, and mixed enterprises.

As an organisation which consists solely of primary producers from both the pastoral and agricultural regions of Western Australia, many of whom use firearms in their daily activities, and as a member of the Primary Producers Firearms Advisory Group, we are pleased to provide this brief submission on the Firearms Act Reform Consultation Paper.

SUMMARY

In making this submission the PGA recognizes the need for positive outcomes that will ensure both public safety as well as protecting the legitimate use of firearms by farmers and pastoralists (primary producers).

It is critical that the focus of any changes to the Act be both cognisant of the need for legally licenced primary producers to continue to access firearms for vermin and pest control, the dispatch of livestock for animal welfare reasons, as well as for workplace safety when mustering; as well as focused on addressing the criminal misuse of firearms.

COMMENTS

1. PRIMARY PRODUCER LICENCE

The PGA has held the long-term view, including in our submission to the Law Reform Commission that any changes to existing firearms legislation should include a separate licence category for a primary producer. As such the PGA welcomes the introduction of the Primary Producer Licence in the proposed Firearms Act reforms.

Members have raised the following questions with the new licence:

- What will be the basis for the definition of a primary producer under the new licence category?
- Given the often complex (i.e., trusts, partnerships, incorporations) and unique nature of pastoral leases and agricultural freehold and leased land will all primary producer owners or tenants of a property(s) be eligible for a Primary Producers Licence?
- Will family members or others approved as Authorised Persons of the Primary Producer Licence require their own Individual Licence to use the licenced firearms for primary production purposes?
- Will licenced firearms that are currently listed for primary production purposes be automatically transferred to the primary production purpose?
- Will existing licenced primary producers be required to undertake firearms safety training?
- What will be the fee for a Primary Producer's licence?
- What will be the renewal period for a Primary Producer's licence?

2. PROPERTY LETTERS

The PGA has held the long-term view, including in our submission to the Law Reform Commission that the existing land permission for shooting (also known as property letters) should be fully restructured. As such the PGA welcomes the proposed changes to the property letter system.

Members have raised the following questions with regards to the proposed reforms:

- What will be the expiry/renewal period for each property letter?
- What will be the format (electronic or paper) of any new property letter?
- Will there be a limit on the number of property letters a land holder can provide?
- Will there be a limit on the number of property letters an Individual Licence holder, and in the case of a Primary Producer Licence holder hunting on another person's land can possess?
- What is the definition of an authorised person, and can there be more than one authorised person (i.e., spouse, business partner) permitted to issue out a property letter?

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- What approvals will be required for a “neighbour shoot” with 2 or 3 neighbours doing a hunt around each other’s properties? Will a property letter need to be issued to all parties?
 - What approvals will be required for vermin and feral pest shoots done by members of Recognised Bio-Security Groups?
 - If an Individual Licence holder does not renew their firearms licence or has their firearms licence suspended or withdrawn, will the authorised land holder be notified, and will the property letter be cancelled or suspended by the Licencing Authority?
 - Can the holder of a property letter dispute or appeal the decision of the authorised landholder to rescind approval?

3. STORAGE

The PGA has held the long-term view that storage requirements for primary producers should reflect the unique nature of what are in many cases properties with very long police response time to an alarm.

Members have raised the following questions with regards to the proposed reforms:

- Given the proposed limits of firearms under the Primary Producer licence and the Individual Licence, will there be a requirement for primary producers to have an electronic monitoring system?
- Will the electronic monitoring system require the ability to monitor and record images of the storage cabinet or safe?
- Will co-storage between family members, or any other authorised person be permitted?

4. HEALTH REQUIREMENTS

Members have raised the following questions with regards to the proposed Health Requirements:

- What will be the scope, format, and frequency of the proposed Mental Health Assessments? Will they need to be completed by a medical professional?
- Will primary producers who have pre-existing mental health conditions and are under the care of a health professional be precluded from licencing a firearm?
- What will be the scope, format, and frequency of the proposed Physical Health Assessments? Will they need to be completed by a medical professional in person or can they be done by electronic means (i.e., TeleHealth)?

5. CONCLUSION

As an organisation which consists solely of primary producers from both the pastoral and agricultural regions of Western Australia, the PGA thanks the WA Government for listening to industry regarding the establishment of a dedicated Primary Producers Licence.

The PGA also understands that the issue of firearms regulation is an emotive issue not only among licenced firearms owners, many of whom play an important role in pest and vermin control on agricultural and pastoral properties, but for the public as well.

It is hoped that the answers to the questions within this submission will satisfy many of the concerns that have been raised during this consultation process by numerous parties.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Tony Seabrook', with a long, sweeping horizontal line extending to the right.

Tony Seabrook
PGA President