



Mandatory Disqualification

Information Sheet

Important Information Regarding Firearms Legislation

This Information Sheet provides essential guidance on the imminent changes brought about by the *Firearms Act 2024*.

Once enacted, new firearm laws will significantly impact both current firearm licence holders and all new firearm licence applicants, particularly in relation to changes in firearm licence types and who can obtain or retain a licence.

The *Firearms Act 2024* received royal assent on 27 June 2024. Part 1 (preliminary) and Part 16 (savings and transitional provisions) are now law. Part 1 introduces disqualifying offences and orders, disqualifying organisations as well as disqualified persons and interim disqualified persons.

Understanding Disqualifying Offences

A disqualifying offence is a serious offence defined in the section 128(1) of the *Criminal Investigations Act 2006*. This includes an offence that carries an imprisonment term of five (5) years or more.

Definition of Disqualifying Orders

Disqualifying orders include Violence Restraining Orders, Family Violence Restraining Orders, or Conduct Agreement Orders established under the *Restraining Orders Act 1997* or similar orders from corresponding laws in other Australian jurisdictions.

Identification of Disqualifying Organisations

Disqualifying organisations are listed under Schedule 2 of the *Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021* and encompass entities like Outlaw Motorcycle Gangs (OMCGs) and other criminal groups.

Disqualified Persons

If you have committed a serious offence within a prescribed period, are subject to a disqualifying order or are a member of a disqualifying organisation you are a disqualified person. Your firearm licence will be revoked, and your firearms will be seized. You will have 90 days to advise police of what to do with them or they will be destroyed.

Interim disqualified persons.

If you are charged with a disqualifying offence and the court process is ongoing or are issued with a disqualifying order that is not yet finalised in court, your firearm licence is suspended, and your firearms seized. If the court does not make a formal finding of guilt, or the disqualifying order is not finalised you can apply to have your firearms back. This is not automatic, and the Commissioner will have regard to the conduct of the person which resulted in them becoming an interim disqualified person.

Membership of a disqualifying organisation

If you are a member of a disqualifying organisation, your firearm licence is revoked, and your firearms seized. You will have 90 days to advise police of what to do with them or they are destroyed.

Actions to Take with Your Firearms

If you anticipate that you will not be able to meet these future requirements, you should consider the following options:

- Sell your firearms through a licensed Firearms Dealer
- Utilise the Firearm Amnesty and relinquish your firearms to the police
- You will not receive any remuneration for firearms relinquished under the Firearms Amnesty.

Failure to relinquish your firearms will result in police seizure.

ADDITIONAL RESOURCES

For further information and frequently asked questions, visit the [Police WA Firearms Help Centre](#).

Link to relevant Legislation [Firearms Act 2024](#)

Progress of the Act containing the *Firearm Act 2024* can be obtained from: [The Parliamentary of WA Website](#).

VOLUNTARY FIREARMS BUYBACK SCHEME HAS NOW CLOSED