

**WEAPONS (SUPPLY TO MINORS AND ENHANCED POLICE POWERS)
AMENDMENT BILL 2008 (E022)**

EXPLANATORY MEMORANDUM

(Introduced by the Hon. Margaret Quirk, MLA)

This Bill will provide for the prohibition of the sale of controlled weapons to persons under the age of 18 years of age, except in circumstances where the seller has an honest and reasonable belief that the controlled weapon is to be used for a lawful sporting or recreational purpose. This Bill will also provide for widened search powers for police officers in prescribed areas.

Part 1 – Preliminary

Clause 1 Short Title

Provides for the Act to be cited as the *Weapons (Supply to Minors and Enhanced Police Powers) Amendment Bill 2008*.

Clause 2 Commencement

Provides for this Act to come into operation on a day fixed by proclamation.

Part 2 – Amendment of *Weapons Act 1999*

Clause 3 The Act amended

Provides that the amendments in this Part are to the *Weapons Act 1999 (Act)*.

Clause 4 Section 7A inserted

Provides for the insertion of section 7A into the Act. Section 7A(1) makes it an offence for anyone to supply a controlled weapon (within the meaning of the Act) to a person under the age of 18 years. Section 7A(2) provides a defence to a person who supplies a controlled weapon to a minor in an honest and reasonable belief that the minor intended to use the controlled weapon in a lawful sporting or recreational activity, or for any other purpose which is prescribed by regulation.

Clause 5 Section 13 amended

Provides for section 13 of the Act to be amended to include subsection 13(1a). Section 13(1a) gives police the power to stop, detain and search any person who is within a prescribed area at a prescribed time to determine whether that person is carrying a weapon or otherwise committing an offence under the Act. Subsection (1a) does not require the police to have a reasonable suspicion that the person being searched is committing an offence.