



THIRTY-NINTH PARLIAMENT

**JOINT STANDING COMMITTEE ON DELEGATED
LEGISLATION**

REPORT 68

**EXPLANATORY REPORT IN RELATION TO THE
*FIREARMS AMENDMENT REGULATIONS 2013***

Presented by Mr Peter Abetz MLA (Chair)

&

Hon Robin Chapple MLC (Deputy Chair)

October 2013

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

Date first appointed:

28 June 2001

Terms of Reference:

The following is an extract from Schedule 1 of the Legislative Council Standing Orders:

“6. Joint Standing Committee on Delegated Legislation

- 6.1 A *Joint Standing Committee on Delegated Legislation* is established.
- 6.2 The Committee consists of 8 Members, 4 of whom are appointed from each House. The Chairman must be a Member of the Committee who supports the Government.
- 6.3 A quorum is 4 Members of whom at least one is a Member of the Council and one a Member of the Assembly.
- 6.4 (a) A report of the Committee is to be presented to each House by a Member of each House appointed for the purpose by the Committee.
- (b) Where a notice of motion to disallow an instrument has been given in either House pursuant to recommendation of the Committee, the Committee shall present a report to both Houses in relation to that instrument prior to the House's consideration of that notice of motion. If the Committee is unable to report a majority position in regards to the instrument, the Committee shall report the contrary arguments.
- 6.5 Upon its publication, whether under section 41(1)(a) of the *Interpretation Act 1984* or another written law, an instrument stands referred to the Committee for consideration.
- 6.6 In its consideration of an instrument, the Committee is to inquire whether the instrument –
- (a) is within power;
- (b) has no unintended effect on any person's existing rights or interests;
- (c) provides an effective mechanism for the review of administrative decisions; and
- (d) contains only matter that is appropriate for subsidiary legislation.
- 6.7 It is also a function of the Committee to inquire into and report on –
- (a) any proposed or existing template, *pro forma* or model local law;
- (b) any systemic issue identified in 2 or more instruments of subsidiary legislation; and
- (c) the statutory and administrative procedures for the making of subsidiary legislation generally, but not so as to inquire into any specific proposed instrument of subsidiary legislation that has yet to be published.
- 6.8 In this order –
- “instrument” means –
- (a) subsidiary legislation in the form in which, and with the content it has, when it is published;
- (b) an instrument, not being subsidiary legislation, that is made subject to disallowance by either House under a written law;
- “subsidiary legislation” has the meaning given to it by section 5 of the *Interpretation Act 1984*.”

Members as at the time of this inquiry:

Mr Peter Abetz MLA (Chair)	Hon Ljiljanna Ravlich MLC (Deputy Chair) until 16 October 2013
Hon John Castrilli MLA	Hon Robin Chapple MLC (Deputy Chair) from 16 October 2013
Hon Peter Katsambanis MLC	Hon Mark Lewis MLC
Ms Simone McGurk MLA	Mr Peter Watson MLA

Staff as at the time of this inquiry:

Felicity Mackie (Advisory Officer (Legal))	Alex Hickman (Advisory Officer (Legal))
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ISBN 978-1-922047-60-1

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EXECUTIVE SUMMARY AND RECOMMENDATIONS OF THE
EXPLANATORY REPORT OF THE JOINT STANDING COMMITTEE ON DELEGATED
LEGISLATION
IN RELATION TO THE *FIREARMS AMENDMENT REGULATIONS 2013*

EXECUTIVE SUMMARY

- 1 Fees are increased in the *Firearms Amendment Regulations 2013* for the 2013/14 financial year in order to achieve full cost recovery.
- 2 Western Australia Police, as part of the Explanatory Memorandum to the *Firearms Amendment Regulations 2013*, provided a Unit Cost Table for the fees. That Table reveals Western Australia Police has a costing methodology in place and all the fees are at 100% cost recovery. The Committee's Sessional Resolution 23 applies. It states: "*If an agency has a costing methodology and the amended fee is under recovering or at cost recovery, then accept the increase.*"
- 3 On the basis of that resolution, the Committee concluded that the *Firearms Amendment Regulations 2013* are within power of the *Firearms Act 1973*. However, as the Committee received many unsolicited submissions regarding the fee increases it considered the quantum of the fees further by holding a public hearing.
- 4 The Committee resolved to advise the House of four controversial matters arising from the hearing and those submissions. The matters are: (1) the processing of applications for firearms licences, (2) the opportunity for error in such processing, (3) the Noting fee for additional firearms on certain existing licences; and (4) the costs of licences in other jurisdictions.

RECOMMENDATIONS

- 5 The recommendations are as they appear in the text at the page number indicated:

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Recommendation 1: The Committee recommends that the Minister initiate a review of the *Firearms Act 1973* and advise the Legislative Council and the Legislative Assembly of the timeframe for the review.

Recommendation 2: The Committee recommends that the Legislative Council and the Legislative Assembly note the information contained in this Report when the Legislative Council debates the disallowance motion on the *Firearms Amendment Regulations 2013*.

EXPLANATORY REPORT OF THE JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

IN RELATION TO THE *FIREARMS AMENDMENT REGULATIONS 2013*

1 REFERENCE AND PROCEDURE

- 1.1 The Parliament of Western Australia has delegated the role of scrutinising subsidiary legislation to the Joint Standing Committee on Delegated Legislation (**Committee**) against four *Terms of Reference*.¹ In addition to its *Terms of Reference*, the Committee may, in exercising its function of scrutinising delegated legislation, have regard to, but is not bound by, the law.²
- 1.2 The *Firearms Amendment Regulations 2013* (**Amendment Regulations**) were published in the *Government Gazette* on 28 June 2013 and tabled in the Legislative Council on 7 August 2013. They fall within the definition of ‘Instrument’ in the Committee’s *Terms of Reference*.
- 1.3 The Amendment Regulations stood referred to the Committee upon their publication in the *Government Gazette*. Once the Amendment Regulations were tabled in the Parliament, they became an Instrument which may be subject to disallowance. The Committee did not give *Notice of Motion* to disallow the Amendment Regulations but observed that Hon Rick Mazza MLC gave a *Notice of Motion* to disallow them on 7 August 2013.
- 1.4 As part of its scrutiny procedure, the Committee held a public hearing with Western Australia Police and sought answers to additional *Questions on Notice*. The transcript of the hearing, including *Answers to Questions on Notice*, is attached at **Appendix 1**.
- 1.5 Western Australia Police advised in the Explanatory Memorandum accompanying the Amendment Regulations that “*an adverse reaction is expected from the firearms industry and the public.*”³ That statement proved prophetic as the Committee received

¹ These are that in its consideration of an instrument, the Committee is to inquire whether the instrument – (a) is within power; (b) has no unintended effect on any person’s existing rights or interests; (c) provides an effective mechanism for the review of administrative decisions; and (d) contains only matter that is appropriate for subsidiary legislation.

² This was stated in the Joint Standing Committee on Delegated Legislation, Report 50, *Hospital Parking Fees*, tabled 16 August 2012. Also Hon Peter Foss MLC, Legislative Council, *Parliamentary Debates (Hansard)*, 27 June 2001, p1447 who stated that the House “*is not bound by the law; it is bound by the views of the House of what is appropriate. A matter may be intra vires, but the Committee may be of the view that it is not contemplated by the empowering enactment; it might be authorised by it due to the wide wording of the empowering legislation. It is possible for Parliament to enact legislation that has an enormous amount of coverage, which could make something intra vires. However, if the House decided that was not what the legislation intended, it would disallow the [subsidiary legislation].*”

³ The Explanatory Memorandum, p1.

89 unsolicited submissions against the fee increases from outraged firearms owners, some of whom consider themselves to be a “*targeted minority*”.⁴ Their submissions, as well as details of the Committee’s inquiry, were placed on the Parliament’s website.

- 1.6 The Committee resolved to prepare this Explanatory Report to assist the House during debate on the disallowance motion.

2 PURPOSE OF THE AMENDMENT REGULATIONS

- 2.1 The Explanatory Memorandum states that the purpose of the Amendment Regulations is to:

- reflect the recovery of costs for the additional resources required to address the Office of the Auditor General’s concerns in relation to compliance activities and the additional resources required as a result of the 2010/11 business process review;⁵
- reflect the provision of future salary rate increases, operational costs and third party increases;⁶ and
- increase fees to full cost recovery.

What is cost recovery?

- 2.2 Cost recovery is a Western Australian Government policy to recover some or all of the costs of a particular activity or product. Cost recovery is usually not undertaken with a view to generate profit and this distinguishes it from the pricing objectives of government business enterprises.⁷
- 2.3 Used appropriately, cost recovery can provide a means of improving the efficiency with which government products and services are produced and consumed. Charges for goods and services can send an important message to users or their customers about the cost of resources involved. It may also improve equity by ensuring that

⁴ Submission Number 50 from M.A Rhodes, 9 September 2013, p1. Submission Number 56 from Kyle Booy, 9 September 2013, p1.

⁵ Office of the Auditor General, *Information Systems – Security Gap Analysis*, June 27, 2013 on Firearms Management System – Western Australia Police, <https://audit.wa.gov.au/reports-and-publications/reports/information-systems-application-controls-audits/firearms-management-system-western-australia-police/> viewed on 8 October 2013.

⁶ Australia Post.

⁷ The Productivity Commission, *Cost Recovery by Government Agencies*, Inquiry Report Number 15, 16 August 2001, pXXII.

those who use government products and services or who create the need for regulation bear the costs.⁸ However, cost recovery may not be warranted where:

- it is not cost effective; or
- it would be inconsistent with government policy objectives; or
- it would unduly stifle competition and industry innovation.⁹

2.4 At a public hearing, the Committee queried whether cost recovery was the purpose of the Amendment Regulations.

Hon LJILJANNA RAVLICH: Are some of these increases in fees actually done for cost recovery or are they done because the department is short of funding?

Mr Migro: No; they were purely done in relation to moving to full cost recovery. This has been a process that we have been looking at for a couple of years.

In the previous costs in the 2012–13 financial year, we also put a proposal up to the Minister's office at that stage asking to go to full cost recovery. That was not granted, but we did get full cost recovery in relation to the other licensing functions we perform at the office in relation to second-hand dealers and pawnbrokers, and the security industry.¹⁰

2.5 Ms Florence Foo, Executive Manager, Western Australia Police, explained:

When we put up the fees, we actually considered other options, which included not achieving full cost recovery. But in putting that to the Minister, we also articulated that if we do not achieve full cost recovery, it may have an impact on the resources in processing the applications.

Also, it will have an impact on the level of services provided to the community, which may lead to putting the community at risk. So all

⁸ Australian Government, *Cost Recovery Guidelines July 2005*, Financial Management Guidance, No 4, p10.

⁹ The Productivity Commission, *Cost Recovery by Government Agencies*, Inquiry Report Number 15, 16 August 2001, pXXIII.

¹⁰ *Transcript of Evidence*, 11 September 2013, p5.

*these factors were also articulated to the Minister when we were setting up the fees.*¹¹

- 2.6 In an *Answer to a Question on Notice*, Western Australia Police provided the following Table which indicates that in the past four financial years, the Department has been under-recovering its fees.

	2009-10 ACTUAL	2010-11 ACTUAL	2011-12 ACTUAL	2012-13 ACTUAL	2013-14 BUDGET
	\$m	\$m	\$m	\$m	\$m
Total Cost	4.5	4.4	6.4	5.8	6.0
Total Revenue	4.1	4.2	6.0	5.0	6.0
Shortfall	0.4	0.2	0.4	0.8	Nil

* The above table includes all third party costs such as Australia Post.

3 TYPES OF LICENCES

- 3.1 Section 16(1) of the *Firearms Act 1973 (Act)* contains a list of licences which may attract fees. These are:

- a Firearm Licence;
- a Firearm Collector's Licence;
- a Corporate Licence;
- a Dealer's Licence;
- a Repairer's licence;
- a Manufacturer's licence;
- a Shooting Gallery Licence; and
- an Ammunition Collector's Licence.

- 3.2 Evidence suggests that there is a high percentage of regional customers applying for firearms licences and that 60% of firearms business is regional.¹²

¹¹ *Transcript of Evidence*, 11 September 2013, p8.

¹² Western Australia Police, Business Technology Business Improvement Office, Business Process Review Licensing Enforcement Division Firearms and Security *Current State Assessment Report*, Version 0.4, 28 February 2011, p17. (Private status document)

4 FEES

- 4.1 The fees in the Amendment Regulations are made pursuant to section 34(3)(b) of the Act and amend the *Firearms Regulations 1974* (**Principal Regulations**). Section 34(3)(b) states:

(3) Regulations made under this Act may —

(b) prescribe fees to be paid in relation to the issue, grant, variation or renewal of licences, permits and approvals, the fees that are payable in relation to other matters under this Act, the persons liable, and the method of recovery of amounts not duly paid either by the disposal of the firearms or ammunition to which they relate or otherwise;

- 4.2 Western Australia Police provided the following fee Table:

TYPE OF FEE	DATE LAST UPDATED INCREASE/ DECREASE	OLD FEE \$	NEW FEE \$	INCREASE / DECREASE %	% OF FULL COST RECOVERY
SCHEDULE 1A					
1. Application for firearm licence (r.3A, 3B)					
(a) by person without such a licence	01.07.11 – increase	159.20	246.30	54.7%	100%
(b) by person renewing such a licence	01.07.11 – increase	45.70	51.80	13.3%	100%
(c) by person with such a licence wanting licence for one or more additional firearms	01.07.11 – increase	72.50	169.50	133.8%	100%
2. Application for firearms collector's licence (r.3A, 3B)					
(a) by person without such a licence	01.07.11 – increase	247.30	316.30	27.9%	100%

(b) by person renewing such a licence	01.07.11 – increase	45.70	57.80	26.5%	100%
(c) by person with such a licence wanting licence for one or more additional firearms	01.07.11 – increase	72.50	179.20	147.2%	100%
3. Application for corporate licence (r.3A, 3B)					
(a) by person without such a licence	01.07.11 – increase	389.50	403.00	3.5%	100%
(b) by person renewing such a licence	01.07.11 – increase	109.70	117.00	6.7%	100%
(c) by person with such a licence wanting licence for one or more additional firearms	01.07.11 – increase	72.50	179.20	147.2%	100%
4. Application for dealer's licence (r. 3A, 3B)					
(a) by person without such a licence	01.07.11 – increase	389.50	414.30	6.4%	100%
(b) by person renewing such a licence	01.07.11 – increase	100.90	107.60	6.6%	100%
5. Application for repairer's licence (r. 3A, 3B)					
(a) by person without such a licence	01.07.11 – increase	389.50	414.30	6.4%	100%
(b) by person renewing such a licence	01.07.11 – increase	76.80	84.10	9.5%	100%
6. Application for manufacturer's licence (r.3A, 3B)					
(a) by person without such a	01.07.11 –	389.50	414.30	6.4%	100%

licence	increase				
(b) by person renewing such a licence	01.07.11 – increase	76.80	84.10	9.5%	100%
7. Application for shooting gallery licence (r. 3A, 3B)					
(a) by person without such a licence	01.07.11 – increase	254.50	289.10	13.6%	100%
(b) by person renewing such a licence	01.07.11 – increase	80.90	87.90	8.7%	100%
8. Application for ammunition collector's licence (r. 3A, 3B)					
(a) by person without such a licence	01.07.11 – increase	247.20	289.10	16.9%	100%
	01.07.11 – increase				100%
(b) by person renewing such a licence		59.40	60.10	1.2%	
9. Application for permit under the Act s. 17, per month or part of a month for which permit issued	01.07.12 – increase	56.40	56.30	(0.2%)	100%
10. Extract of Licence (r. 7A)	01.07.12 – increase	20.00	20.10	0.5%	100%
11. Duplicate of licence (r.8)	01.07.12 – increase	32.10	32.00	(0.3%)	100%
12. Replacement for an Extract of Licence (r. 8)	01.07.12 – increase	20.00	20.10	0.5%	100%
13. Police custody of firearm, per year or part of year (r. 11)	01.07.12 – increase	154.66	154.66	0.0%	100%

4.3 The following Unit Cost Table was also provided.

FIREARMS LICENCE FEES 2013-14 FEES AND CHARGES													
This table needs to be read in conjunction with the note provided.													
FIREARMS LICENCE FEES	Notes	Schedule 1A Item No.	2013/14 Fee								2012/13	Increase / (decrease) from 2012/13	Increase / (decrease) from 2012/13
			Business Process Review Adjusted Time	Rate x Hours to perform per application (Volume)	Specific Commission Costs	Australia Post and Set Up Cost	Serviceability Certificate - Aust Post	Record Mgmt Fee	Compliance costs per volume	Total cost (Full Cost Recovery)	Existing Fees		
			Hours	\$	\$	\$	\$	\$	\$	\$	\$		
Individual Firearm Licenses													
Firearms Licence- Original Issue (1 year)		1 a	2.10 hrs	181.68	-	53.36	1.09	-	10.18	246.30	159.20	87.10	54.7%
Firearms Licence-renewal (1 year)		1 b	0.43 hrs	37.38	4.19	-	-	0.13	10.18	51.80	45.70	6.10	13.3%
Firearms Licence - Noting Fee (Additional)		1 c	1.93 hrs	104.90	-	53.36	1.09	-	10.18	169.50	72.50	97.00	133.8%
Collector's Licence													
Firearm Collector's Licence- 3 year original issue		2 a	2.91 hrs	251.74	-	53.36	1.09	-	10.18	316.30	247.30	69.00	27.9%
Firearm Collector's Licence- 3 year renewal		2 b	0.50 hrs	43.33	4.19	-	-	0.13	10.18	57.80	45.70	12.10	26.5%
Firearm Collector's Licence- Noting Fee (Additional)		2 c	2.10 hrs	114.57	-	53.36	1.09	-	10.18	179.20	72.50	106.70	147.2%
Corporate Licence													
Corporate Licence-original issue (1 year)		3 a	3.91 hrs	338.39	-	53.36	1.09	-	10.18	403.00	389.50	13.50	3.5%
Corporate Licence-renewal (1 year)		3 b	1.18 hrs	102.54	4.19	-	-	0.13	10.18	117.00	109.70	7.30	6.7%
Corporate Licence - Noting Fee (Additional)		3 c	2.10 hrs	114.57	-	53.36	1.09	-	10.18	179.20	72.50	106.70	147.2%
Dealer's Licence													
Dealer's Licence-original issue (1 year)		4 a	4.05 hrs	350.81	-	53.36	-	-	10.18	414.30	389.50	24.80	6.4%
Dealer's Licence - renewal (1 year)		4 b	1.08 hrs	93.15	4.19	-	-	0.13	10.18	107.60	100.90	6.70	6.6%
Repairer's Licence													
Repairer's Licence-original issue (1 year)		5 a	4.05 hrs	350.81	-	53.36	-	-	10.18	414.30	389.50	24.80	6.4%
Repairer's Licence - renewal (1 year)		5 b	0.80 hrs	69.63	4.19	-	-	0.13	10.18	84.10	76.80	7.30	9.5%
Manufacturer's Licence													
Manufacturer's Licence-original issue (1 year)		6 a	4.05 hrs	350.81	-	53.36	-	-	10.18	414.30	389.50	24.80	6.4%
Manufacturer's Licence- renewal (1 year)		6 b	0.80 hrs	69.63	4.19	-	-	0.13	10.18	84.10	76.80	7.30	9.5%
Shooting Gallery Licence													
Shooting Gallery Licence-original issue (1 year)		7 a	2.60 hrs	225.58	-	53.36	-	-	10.18	289.10	254.50	34.60	13.6%
Shooting Gallery Licence - renewal (1 year)		7 b	0.90 hrs	77.67	-	-	-	0.13	10.18	87.90	80.90	7.00	8.7%
Ammunition Collector's Licence													
Ammunition Collector's Licence-original issue (5 years)		8 a	2.60 hrs	225.58	-	53.36	-	-	10.18	289.10	247.20	41.90	16.9%
Ammunition Collector's Licence - renewal (5 years)		8 b	0.58 hrs	49.83	-	-	-	0.13	10.18	60.10	59.40	0.70	1.2%
Miscellaneous fees													
Safe Custody Fee	Note 2	13	1.44 hrs	124.78	-	-	-	15.82	-	140.60	140.60	0.00	0.0%
Limited Permit Fee		9	0.65 hrs	56.32	-	-	-	-	-	56.30	56.40	(0.10)	(0.2%)
Duplicate Firearms Licence		11	0.37 hrs	32.06	-	-	-	-	-	32.00	32.10	(0.10)	(0.3%)
Firearm - Photo Card	Note 3	10, 12	0.11 hrs	9.53	10.60	-	-	-	-	20.10	20.00	0.10	0.5%
Infringement Fine**		Reg 27(1)(a)	-	-	-	-	-	-	-	421.00	421.00	0.00	0.0%

Note:

- The 2012/13 fees have been rounded down to the nearest 10 cents.
- The Safe Custody Fee is subject to GST. The GST inclusive value of this fee is \$154.66.
- ** Infringement Fine - No change in this activity due to Infringement Fine not considered to be a "fee" but "a penalty". It does not come within the fees and charges regime.

4.4 Using the *Schedule 1A firearm licence – original issue (1 year)* as an example, the Committee noted that the 2.10 hours allocated for it in the Unit Cost Table was determined by a business process review.¹³ That review:

- included the conducting of a time and motion study;
- identified an estimated minimum and maximum time for simple and complex applications;
- calculated an average weighted time for processing; and
- included time for call centre queries, processing, approval, refusal time, administration time and probity checking time.

4.5 As a result, the following items were costed:

- Salary: \$54.49;
- Operational costs \$10.48; and
- Corporate overheads: \$21.68.

4.6 Western Australia Police in an *Answer to a Question on Notice Number 2*¹⁴ separated this \$86.65 cost into the following elements.

¹³ Email correspondence from Ms Florence Foo, Executive Manager, Business Services and Reporting, Police Headquarters enclosing follow up *Answers to Questions* not asked during the Hearing, dated 13 September 2013, p1.

¹⁴ Answer to an additional *Question on Notice Number 2* received after the Hearing, 18 September 2013.

Answer (2):**Break-up of 2013-14 rate per hour of \$86.65**

Component	Sub-Component	Additional Information	\$	\$
Salary (Direct Costs)	Reflects the average rate of Normal Salary, Leave Loading, Long Service Leave, Superannuation, Higher Duties Allowance and Overtime & Training only.	This is the average rate for Sworn and Unsworn FTEs directly engaged at Licensing Enforcement Division associated with Firearms Licensing.		54.49
Corporate Overheads (Indirect costs)	These are costs associated with such things as executive administration, financial services, human resources, legal services.	These indirect costs are not directly attributable to the Firearms Licensing. WA Police has captured Corporate Overheads in line with the "Costing and Pricing Guidelines" per Attachment 1. The hourly rate applied to the Firearms Licences reflects a subsidised rate in comparison to the agency average corporate overhead hourly rate of approximately \$42 per hour for 2013-14.		21.68
Operational Costs (Direct costs)	Accommodation	This is the leasing cost for accommodation of the premises occupied by the Licensing Enforcement Division at Cannington associated with Firearms Licensing.	5.73	10.48
	Depreciation/Amortisation	This is the depreciation of physical assets and amortisation associated with Firearms Licensing.	2.32	
	Database maintenance	This reflects the annual maintenance costs of the firearm database.	1.27	
	Operating Expenses	The operating expenses are a reflection of the actual costs expensed by the Licensing Enforcement Division at Cannington associated with Firearms Licensing. This includes such costs as office consumables, accommodation maintenance and advertising.	1.16	
Total				86.65

- 4.7 The Unit Cost Table shows that Western Australia Police has a costing methodology in place and all the fees are at 100% cost recovery. The Committee's Sessional Resolution 23, Item Number 2 applies. It states:

*If an agency has a costing methodology and the amended fee is under recovering or at cost recovery, then accept the increase.*¹⁵

- 4.8 On the basis of that resolution, the Committee concluded that the Amendment Regulations are within power of the Act and comply with the usual scrutiny mechanisms applied by the Committee in such cases.

5 MATTERS DRAWN TO THE ATTENTION OF THE HOUSE

- 5.1 The Committee draws the following four matters to the attention of the House.

¹⁵ Adopted 10 June 2013.

Processing applications

5.2 In June 2013, the Auditor General described the process diagrammatically and sequentially:¹⁶



5.3 Western Australia Police witnesses described a convoluted and complex processing system of firearm licensing which involves double and manual handling as well as third party outsourcing.

5.4 Mr Carl Fisher, Senior Sergeant, Western Australia Police, Officer in Charge, Firearms Licensing Services, described (as an example) the processing of an original class “A”, low-powered firearm licence for recreational hunting and shooting.

- A person goes to a dealer, obtains a dealer’s certificate¹⁷ and details of the firearm, applies online through the website, fills it out, prints it out and takes it to Australia Post, pays the fee and submits the appropriate forms.
- 48 hours later if it comes through electronically, it arrives at the firearms licensing services probity area, not the firearms branch;
- The probity area’s unsworn officers (overseen by sworn officers), look at the application details and the antecedents of the applicant including CrimTrac checks to ascertain suitability under the Act. This takes approximately five days.

¹⁶ Office of the Auditor General, *Information Systems Audit Report, Firearms Management System Western Australia Police*, 27 June 2013. See https://audit.wa.gov.au/wp-content/uploads/2013/06/report2013_11.pdf at page 13 viewed on 17 October 2013. ‘Decipha’ mentioned in this diagram is a business of Australia Post. It was established in 1996 but in 2002 became an independent entity. According to its website, ‘Decipha’ is an advanced electronic service which captures, processes and delivers information to clients without further processing required. It provides a customised inbound management solution. See: <http://www.decipha.com.au/> viewed on 22 October 2013.

¹⁷ In a letter dated 18 September 2013, Hon Rick Mazza MLC, described this as a “serviceability” certificate from an authorised club official or gun dealer. According to Mr Mazza, the cost of the certificate ranges between \$30 and \$100 and is additional to the licence cost.

- The application is then handed to an unsworn,¹⁸ firearm licensing services assessor “*who would then look at the application in terms of actually licensing the firearm*”.¹⁹ This person compares the calibre;²⁰ the shooting location and considers sections 11A and 11B of the Act²¹. Other activity includes contacting a property owner to ensure that he has had the authority to shoot on it. It is at this stage, a changeover occurs from a civilian assessor to the supervisor who is normally a police sergeant.
- Assuming the application is satisfactory, the assessor makes a recommendation. A sergeant makes his or her own assessment of it.
- If pre-approved, the application is returned to the assessor for a Form 22 assessment. This concerns the storage security system for the firearm.²²
- The assessor fills out forms and sends a statutory declaration form to the applicant for photographs and details as to how the firearm will be stored. The declaration is returned within 28 days and then sent to the approver (again) for final approval if everything is correct.
- The approver sends the forms to a ‘loading’ clerk. At this stage, the application has been in the ‘firearm portal’ whereas the actual licence is issued in the firearm registry system. However, there is no automatic link between these two systems, so “*we have to manually take it out of one system and manually load it into the actual firearm registry system. Once loaded in the system, and it is a civilian who does the actual loading, the details are then sent to Post Connect,... and the licence is forwarded out*”.²³

5.5 The Chair commented on these two systems. Data is entered into a computer system at one point but then at the final point there is no connection between those computer

¹⁸ Letter correcting the *Transcript of Evidence*, 20 September 2013, p1.

¹⁹ Mr Carl Fisher, Senior Sergeant, Western Australia Police, Officer in Charge, Firearms Licensing Services, *Transcript of Evidence*, 11 September 2013, p3.

²⁰ ‘Calibre’ is the diameter of a cylindrical body, especially the internal diameter of a tube or the bore of a firearm. Mr Fisher said Western Australia Police have 750 types of calibres.

²¹ These are respectively titled “*Genuine reason*” and “*Genuine Need*”. The Auditor General said of ‘genuine reason’ test: “*There must be a genuine reason to hold a firearm licence. This includes membership of a shooting club, recreational shooter or a collector. Licence holders may also have an occupational requirement such as a primary producer or security firm properly licensed under the Security and Related Activities (Control) Act 1996.*”

²² The Chair received anecdotal opinion from Joss Glisson, member of the Sporting Shooter’s Association, that the Form 22 process could be shortened by providing photographs of security storage at the time the application is uploaded.

²³ Mr Carl Fisher, Senior Sergeant, Western Australia Police, Officer in Charge, Firearms Licensing Services, *Transcript of Evidence*, 11 September 2013, p3.

systems, which means a person has to manually re-enter all the data concerning the applicant and their firearm.²⁴ Mr Fisher said:

That is correct. When the application first comes in in the firearm processing portal, a large amount of that data has been scanned in by Australia Post, and so a lot of it will come across within the application. Some of the details will not match the firearm registry system as far as the actual firearm goes because, as I said earlier, we have 750 types of calibres. If there is a calibre difference, then the assessor will have to try to work out what the issue is. He can update the firearm registry or he can adjust the application depending on which one is wrong. This is a manual process. From the moment it is scanned in, any other alteration from then on is a manual process done generally by the unsworn officer.

The firearm portal is a stand-alone system separate from the firearm registry. So, when it is all approved in the end they have to take it out of the portal and manually load it into the firearm registry.

The CHAIR: *So, there is no way of saving that for transferring it across?*

Mr Fisher: *There is no link between the two systems. That was brought in in 2008, whenever they moved to Australia Post.*

The CHAIR: *What sorts of cost savings would be possible if they were linked?*

Mr Fisher: *It is very hard for me to answer that. Obviously, you would be working on one system, so you would not be reloading.*

The CHAIR: *What time frames are involved in loading the information; is it half an hour's work or what?*

Mr Fisher: *Per application?*

The CHAIR: *Yes.*

Mr Fisher: *Probably 10 minutes per application, as long as there is no issue with it.*

- 5.6 In February 2011, the Fujitsu consultant employed to conduct the Business Process Review of the *Licensing Enforcement Division, Firearms and Security* commented on the problem with technology. The consultant said:

²⁴

Mr Peter Abetz MLA, Chair of the Committee, *Transcript of Evidence*, 11 September 2013, p3.

*While the review has resulted in recommendations in relation to business process improvement and resources there is a significant restriction to making significant business process improvement with the current technologies utilised. This in turn has an impact on resource requirements due to the high incidence of manual processing and instances of duplication of data entry required.*²⁵

- 5.7 The Committee finds that two and half years later, manual processing and double handling still pervades the licensing process. Manual processing and double handling adds to the cost base on which cost recovery is calculated.

The opportunity for Error

- 5.8 The Auditor General said:

*Manual processing is required for the Firearms Registry System to effectively operate. This includes the need to reconcile the accuracy of data back to Incident Management System and other Western Australia Police systems and then manually change information as required. This process creates an increased risk of errors.*²⁶

- 5.9 The Committee finds that the amount of handling from two computer systems as well as the opportunity for transcription errors contributes unnecessarily to the total cost of the process. Ms Florence Foo, Executive Manager, Western Australia Police, (using as an example, an application for an original issue one year licence), said:

Ms Foo: *That rate per hour was calculated based on the weighted average hourly rate of the time taken — that is, for sworn and unsworn officers... and then it is multiplied by the 2.1 hours that was determined as part of the time-motion study.*

Ms S.F. McGURK: *One of our questions concerned the hourly rate and why it was so high.*

Ms Foo: *The hourly rate for that [\$86.65] was arrived at using the calculation of the salary components of the officers undertaking the firearm activities, plus the operating cost that has been incurred, such as vehicle cost, accommodation cost, utility cost and everything else. As part of the costing price guideline, we need to consider the direct components of the activities and also the indirect components.*

²⁵ Western Australia Police, Business Technology Business Improvement Office, Business Process Review Licensing Enforcement Division Firearms and Security *Current State Assessment Report*, Version 0.4, 28 February 2011, p6. (Private status document)

²⁶ <https://audit.wa.gov.au/reports-and-publications/reports/information-systems-application-controls-audits/firearms-management-system-western-australia-police/> viewed on 8 October 2013.

The Noting Fee

- 5.10 This particular fee was the cause of consternation amongst those who made submissions. Hon Rick Mazza MLC said:

*The Noting Fee has risen 134% to \$169.50 for the addition of a new firearm to an existing licence and for each existing licensee to co-licence a single firearm.*²⁷

- 5.11 Concerned licensees described the increase (occurring as it does over a single financial year) as “rather extreme”,²⁸ “simply unjustified”,²⁹ and “astronomical”.³⁰ Mr Ian Blevin, argued that it is unnecessary to “allocate the same time, resources and energy to each additional firearm required by an already vetted firearm owner.”³¹ Mr Tim Corby said “if someone already has a firearms licence then they are already deemed to be a fit and proper person at the time of issue”.³²

- 5.12 The Committee received a submission from Mr Tom Hunter, collector of historical firearms stating that having already been found to be a fit and proper person to own 120 firearms, he is charged \$179.20 for ‘noting’ an additional firearm on his licence. This compares with \$9.20 in Victoria and \$40 in New South Wales.³³

- 5.13 Detective Superintendent Migro, Western Australia Police, said the title of the Noting fee is a misnomer. He said sections 11A and 11B of the Act - the “genuine need” and “genuine reason” tests apply for that additional firearm. Thus, whether it is an application to own a firearm or an application to ‘note’, the entire process is to be followed as if it were a new application each time.

- 5.14 The Committee noted that section 18 of the Act prescribes the licensing procedure. Subsections (9) and (10) state:

(9) Licences of more than one kind may be issued to the same person in one document, and a licence may relate to more than one firearm.

(10) Where a licence has been issued to any person and that person applies for an additional licence of the same kind in relation to a

²⁷ Submission Number 1 from Hon Rick Mazza MLC, 21 August 2013.

²⁸ Submission Number 77 from Mr Michael Daddi, 11 September 2013.

²⁹ Submission Number 78 from Mr Brett Woodland, 11 September 2013.

³⁰ Submission Number 42 from Mr Roy Tonkin, 9 September 2013.

³¹ Submission Number 14 from Mr Ian Blevin, 4 September 2013.

³² Submission Number 66 from Mr Tim Corby, 11 September 2013. Also Submission Number 67 from Alessa Owen, 11 September 2013.

³³ Hon Ljiljanna Ravlich MLC quoting correspondence the Committee received from Hon Rick Mazza MLC, *Transcript of Evidence*, 11 September 2013, p12.

further firearm that additional licence may, on presentation of an application for expedited approval accompanied by the prescribed noting fee, be noted on the original licence in any case where the Commissioner is satisfied that the public interest does not require that the applicant should proceed by way of an originating application.

- 5.15 The Committee is of the view that section 18(10) of the Act contemplates that a Noting application may proceed in an alternative manner to that suggested by Western Australia Police. However, the Minister said:

*Western Australia Police is of the view that there would need to be a special set of circumstances to occur for section 18(10) of the Act to prevail over the requirements of sections 11A, 11B and 15 of the Act and Regulation 3BA and 3B of the Regulations.*³⁴

- 5.16 The Committee noted that:

- section 15 of the Act places a requirement on the Commissioner or his delegate to be satisfied that a firearm can form part of a genuine collection;
- Regulation 3BA is an alternative manner of applying for a firearm licence, firearm collector's licence or an ammunition collector's licence if the person previously held a licence of the kind but failed to renew the previous licence after it last expired; and
- Regulation 3B concerns the issue and renewal of licences and permits. Amongst other things, it provides that if a person holds a firearm licence, a firearm collector's licence or a corporate licence and applies for the same licence but for an additional firearm and a licence is issued for the additional firearm, the licence for the additional one forms part of the original licence.

- 5.17 The Committee finds that the Commissioner's consideration of sections 11A, 11B and 15 of the Act as well as regulations 3BA and 3B of the Principal Regulations is time intensive and (again) adds to the cost base on which cost recovery is calculated.

- 5.18 The Committee further finds the Minister's view of section 18(10) of the Act puzzling and remains unconvinced that it cannot be used generally for Noting applications.

- 5.19 The Committee considers these differing views on the interpretation of section 18(10) of the Act highlight concerns about the broader operation of the Act that leads to a time consuming and costly process in relation to firearms licensing. Therefore the Committee considers that the Act should be reviewed as a matter of urgency to

³⁴ Letter from Hon Liza Harvey MLA, Minister for Police, 25 October 2013, pp2-3. (See **Appendix 2**)

eliminate double handling and inconsistencies and clarify legislative intent. The review should ensure that any future licensing process is as cost efficient as possible.

- 5.20 The Committee is of the view that the Minister should urgently review the Act and therefore makes the following recommendation.

Recommendation 1: The Committee recommends that the Minister initiate a review of the *Firearms Act 1973* and advise the Legislative Council and the Legislative Assembly of the timeframe for the review.

- 5.21 The Committee also queried why the hourly rate Noting fee (which has risen substantially), appears to be significantly lower at \$55 compared with the other two hourly rates. Ms Foo explained that the operating cost component is built into the original issue.

Ms Foo: The calculation of the rate was based on the weighted average of the hourly rate for sworn and unsworn officers, and the difference between the original issue and the noting fee is that the noting fee is for additional firearms to be added to the original application. So to avoid any over cost recovery, we discounted the hourly rate to exclude the operational costs.

To give you an example, if the applicant has come to us for original issue and has paid the first lot of the roughly \$246 fee, and in one month's time the applicant comes back to us to add additional firearms to the licence, we want to make sure that we are not double counting on the operational cost itself. So we actually discounted the hourly rate to exclude the operating cost component.

- 5.22 The Committee accepts this rationale.

Costs in other Australian jurisdictions

- 5.23 Many submissions commented on how licences were cheaper in other jurisdictions.³⁵ Pingelly Sporting Shooters Club Inc for example, claims that “to apply for an addition to a firearms licence in WA now costs seventeen times that charged in Victoria and four times that of NSW which is the second most expensive State”.³⁶

³⁵ Submission Number 1 from Hon Rick Mazza MLC, 21 August 2013, p1.

³⁶ Submission Number 30 from the Pingelly Sporting Shooters Club Inc, 6 September 2013, p1.

5.24 Western Australia Police claim the other jurisdictions are not yet at full cost recovery and that there are differences in the legislation between jurisdictions.³⁷ The Committee has included a list of other jurisdictions' fees at **Appendix 3** to illustrate the range of fees.

5.25 The Committee accepts that it is difficult to draw comparisons with other jurisdictions because of significant differences in legislation and licensing procedures.

6 CONCLUSION

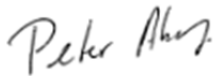
6.1 The Committee is of the view that pursuant to *Term of Reference* 6.6.(a) the Amendment Regulations are within power of the *Firearms Act 1973*.

6.2 The Committee informs the Parliament accordingly of its conclusion and four other matters in paragraphs 5.1 to 5.25 in this Report when the Legislative Council considers the *Notice of Motion* to disallow the Amendment Regulations.

7 RECOMMENDATION

7.1 The Committee makes the following recommendation.

Recommendation 2: The Committee recommends that the Legislative Council and the Legislative Assembly note the information contained in this Report when the Legislative Council debates the disallowance motion on the *Firearms Amendment Regulations 2013*.



Mr Peter Abetz MLA

Chair

31 October 2013

³⁷ Answer to an additional *Question on Notice Number 11* received after the Hearing, 18 September 2013.

APPENDIX 1

INQUIRY INTO THE FIREARMS AMENDMENT REGULATIONS 2013

TRANSCRIPT OF EVIDENCE, QUESTIONS NOT ASKED AND QUESTIONS ON NOTICE

APPENDIX 1
INQUIRY INTO THE FIREARMS AMENDMENT REGULATIONS 2013
TRANSCRIPT OF EVIDENCE

**JOINT STANDING COMMITTEE ON
DELEGATED LEGISLATION**

INQUIRY INTO THE FIREARMS AMENDMENT REGULATIONS 2013

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH,
WEDNESDAY, 11 SEPTEMBER 2013**

Members

Mr P. Abetz (Chair)
Hon Ljiljanna Ravlich (Deputy Chair)
Mr G.M. Castrilli
Hon Robin Chapple
Hon Peter Katsambanis
Hon Mark Lewis
Ms S.F. McGurk
Mr P.B. Watson

Hearing commenced at 10.39 am

MIGRO, MR JAMES MARTIN

Detective Superintendent, Western Australia Police, sworn and examined:

FOO, MS FLORENCE

Executive Manager, Western Australia Police, sworn and examined:

FISHER, MR CARL

Senior Sergeant, Western Australia Police, OIC Firearms Licensing Services, sworn and examined:

The CHAIR: On behalf of the committee, I would like to welcome you to the meeting, but before we begin, I need to ask you to make either the oath or the affirmation.

[Witnesses took the oath or affirmation.]

The CHAIR: Thank you very much. You will have signed a document entitled "Information for Witnesses". Have you read and understood that document?

Mr Migro: Yes.

The CHAIR: Thank you. These proceedings are being recorded by Hansard; a transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document you refer to during the course of this hearing for the record, and please be aware of the microphones and try to talk into them, ensuring you do not cover them with papers or make noises near them because we will all hear that.

I will remind you that your transcript will become a matter for the public record. If for some reason you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in a closed session. If the committee grants your request, any public and media in attendance will be excluded from the hearing. Please note that until such time as the transcript of your public evidence is finalised, it should not be made public. I advise you that the publication or disclosure of the uncorrected transcript of evidence may constitute a contempt of Parliament and may mean that the material published or disclosed is not subject to parliamentary privilege.

I would just like to introduce the members of the committee: Simone McGurk; Robin Chapple; Peter Katsambanis; Ljiljana Ravlich, deputy chairman; myself, Peter Abetz, chairman; Ann Turner is one of the committee staff; Mark Lewis and Peter Watson. Thank you.

At this point we should invite the people into the public gallery; we will just pause for a moment.

My name is Peter Abetz; I am the chairman of the committee. I would just like to extend a welcome to the people in the public gallery. I will just remind you all please, if you have not done so already, to turn off your mobile phones. I also would like to remind you that while we very warmly welcome your interest, you are actually observers rather than participants. At no stage are you able to ask questions or make comments. I would kindly request that that protocol be observed. I would also like to welcome the parliamentary delegation from Canada, from the state of Saskatchewan; it is great to have you with us observing these proceedings.

We have with us, for the benefit of the people in the public gallery, James Migro, Detective Superintendent with WA Police; Ms Florence Foo, Executive Manager from WA Police; and Carl Fisher, Senior Sergeant, Officer in Charge, Firearms Licensing Services.

I would just like to give you the opportunity to make an opening statement, if you would like, before the committee starts asking questions.

Mr Migro: Yes, I would be happy to just make an opening statement to give you a bit of a background on what the issues are and how we got to where we are today.

Back in about 2007, the Western Australia Police had a look at a number of issues and our Frontline First policy was a major concern about getting police on to the front-line of services. As part of that, there was a look at what were the things that got the general public to go to police stations. It identified that the three main reasons people went to police stations were, firstly, to report traffic crashes; secondly, to apply for police clearance certificates; and, thirdly, to apply for police firearm licences.

So that was looked upon as a way that, if we can do away with those administrative functions at police stations, it would make police more available for operational front-line duties. Stemming from that, a decision was made that firearms licensing applications were to be processed through Australia Post; police certificate applications are also done through there and online

reporting was put in place for traffic crashes.

[10.45 am]

Now part of the basis of, particularly the firearm licensing, in addition to the Frontline First issue, was the fact that throughout Western Australia there are 158 police stations; Australia Post had about 220 venues where people could go and apply for licenses. On top of that with Australia Post, during business hours, Monday to Friday, they were always open; whereas, police stations, it could not be guaranteed that they would be open.

Additionally, part of the process previously had included that people always used to take firearms into police stations; police would test it for its safety or serviceability. So changes were made there that firearm dealers carry out that process so that you did not have police officers—and a lot of them are very much like me, do not know a lot about guns—were confronted with looking at firearms; there were dangers there. You also had the public carrying firearms back and forth to police stations. So on those safety issues also, we went down that path.

In about 2008, we moved into and established the Licensing Enforcement Division, which I am now currently the divisional superintendent in charge of; and there, in addition to firearm licensing, we also do second-hand dealers, pawnbrokers and also the security industry. So it is our main licensing area for WA Police. We moved into there with Australia Post taking over the process of accepting applications. They then come into our area where the applications are assessed and processed.

Previous to that, they were all done at individual police stations, and a decision was really made at the whim of the officer at the police station. Now we have a centralised area, and there are constant decisions that are made in accordance with the act. Of course, if people are aggrieved by that, they can go to SAT to have the matter adjudicated.

So, that is the main basis of where we have got to now. We have got this licensing area. From there, as part of our normal fees and charges process through our finance department, we sit down and look at and make suggestions on what the fees and charges should reflect. This particular year some options were put up to our minister to cabinet and a decision was made.

The CHAIR: Perhaps for the benefit of the people in the public gallery, fees can never be more than cost-reflective, because otherwise they are deemed a tax, and that is not allowed. So fees can only be up to 100 per cent cost-reflective.

Could you just pick any licence and explain its processing; for example, at what stage does an unsworn officer hand over processing responsibility to a sworn officer and some of the resulting costs that go with that; just in terms of what is the process?

Mr Fisher: I will probably answer part of it but the costs I would have to hand over to Ms Foo. Before I start explaining the process, there are over 700 firearm calibres listed within our firearms system and federally over 1 200, and we have to try to match them. I will try to pick the simplest application, which is probably a class A, low-powered for recreational hunting shooting. It is probably the easiest and simplest to go through. A person goes to a dealer, gets the dealer's certificate and details of the firearm, applies online through the website, fills it out, prints it out and takes it to Australia Post, pays his fee and hands over the appropriate forms. And in about 48 hours' time if it comes through electronically, it arrives at the firearms licensing services area, not quite in the firearms branch; it is in an area called probity, who first look at the application details and the person making the application—I presume this is for an original. These are unsworn officers but, obviously, under the Firearms Act they are overseen by police through the powers of authority. So the unsworn officer assesses the antecedents of the applicant—if that is what you would like to say—and if he is from the eastern states or from another country or we do not know him, we will do checks with CrimTrac or other states, or overseas if we have to, to find out if they are suitable. And that varies in time depending on who answers the inquiry we are doing from wherever we sent it. After a period of time, and normally it would take about five days, it will then be handed over to one of the firearm licensing services' assessors, which is another unsworn officer who would then look at the application in terms of actually licensing the firearm. So he will compare the calibre and the property that the person wants to shoot on, and he will take into account sections 11A and 11B of the act and the genuine needs, and will assume that after he has made any inquiries he might have to do with the property owner to ensure that he has had the authority to shoot on it. This is where the changeover goes from a civilian assessor to the supervisor who is normally a police sergeant. We will assume there is nothing wrong with the application at that stage. The assessor will make a recommendation, yes or no, the sergeant will then look at it and make his own assessment of it. If it is pre-approved, it will then go back to the assessor for a form 22, which is a storage security requirement for the firearm. The assessor will then fill out the forms and send them out to the applicant, which is a statutory declaration form. We require photographs of how it is going to be stored. We give them 28 days to return that form, which is applicable under the act, and when it comes back it will be sent then to the approver again for final approval if everything is correct. Once it is approved, the approver will then send it to what we call the loading clerk, because the process at this stage has been in the firearm portal and the actual licence is issued in the firearm registry system. There is no automatic link between these two, so we have to manually take it out of one system and manually load it into the actual firearm registry system. Once loaded in the system, and it is a civilian who does the actual loading, the details are then sent to Post Connect, which is the APO, and the licence is forwarded out.

The CHAIR: Could you just clarify the two systems there? Data is entered into a computer system at one point but then at the final point there is no connection between those computer systems, which means that someone has to manually re-enter all the data concerning that person and their firearm; is that correct?

Mr Fisher: That is correct. When the application first comes in in the firearm processing portal, a large amount of that data has been scanned in by Australia Post, and so a lot of it will come across within the application. Some of the details will not match the firearm registry system as far as the actual firearm goes because, as I said earlier, we have 750 types of calibres. If there is a calibre difference, then the assessor will have to try to work out what the issue is. He can update the firearm registry or he can adjust the application depending on which one is wrong. This is a manual process. From the moment it is scanned in, any other alteration from then on is a manual process done generally by the unsworn officer. The firearm portal is a stand-alone system separate from the firearm registry. So, when it is all approved in the end they have to take it out of the portal and manually load it into the firearm registry.

The CHAIR: So, there is no way of saving that for transferring it across?

Mr Fisher: There is no link between the two systems. That was brought in in 2008, whenever they moved to Australia Post.

The CHAIR: What sorts of cost savings would be possible if they were linked?

Mr Fisher: It is very hard for me to answer that. Obviously, you would be working on one system, so you would not be reloading.

The CHAIR: What time frames are involved in loading the information; is it half an hour's work or what?

Mr Fisher: Per application?

The CHAIR: Yes.

Mr Fisher: Probably 10 minutes per application, as long as there is no issue with it.

The CHAIR: But every time there is processing there is another potential for human error in terms of entering data as well, I guess.

Mr Fisher: Yes.

The CHAIR: What sorts of hours are involved in this? The schedule of fees that was provided—the people in the public gallery probably need binoculars to read that slide, but they have probably seen it on paper. The costs involved and the time frames seem quite significant. Do you have any comments on that?

Ms Foo: Just to give you a bit of background on how we arrived at hours or the time taken for application, back in last year or two years ago WA Police actually engaged a third party consultant to conduct a review at licensing enforcement division. So it included full examinations of the business processes, the business structure, in relation to firearm activities, security licences and pawnbrokers. So, with those consultants, they actually developed a business process and also conducted time and motion studies. So, in that information we were able to determine the time taken by the officers at different levels between sworn officers and also unsworn officers looking at the full application of simple and complex applications from the start to the end. The consultant also did stopwatch studies in relation to different applications as well. So, when that information has been collected from the consultation with the stakeholders at licensing enforcement division, the information feedback came to WA Police finance and we looked at the information collected. What we did was a weighted average calculation based on the different types of application, and we worked out the average estimated time taken for each application licensing time. And based on that, we think that it is the most reasonable way of doing the calculation for the time taken in setting up the fees.

Mr P.B. WATSON: We are charging all this extra money now, but the service has dropped and people are waiting a lot longer for their licences. This is great on paper, but I think the main issue is that the price has gone up and the service and standards have dropped.

[11.00 am]

Mr Migro: I am sorry; I disagree with that because with our current level of service we have been delivering, on average, new applications in about 31 to 32 days, bearing in mind there is a 28-day cooling off period before a licence can be issued, and additional applications are getting done in about 28 days at present. That is very historic.

Mr P.B. WATSON: Mr Migro, I can only go on the people who come and speak to me in my electorate about it. They say it is the worst service in the department. I have one more thing I want to ask. The Australia Post component is \$53.36. However, in answer to a question on notice in the Legislative Assembly dated 7 August 2013, the member representing the minister said that the current cost was \$46.65 including GST, and \$2 including GST for data transfer and printing. Can you explain why now it is \$53.36? Is there any reason for that?

Ms Foo: The difference between that \$53.36 and \$46.65 was in relation to the additional cost incurred within WA Police due to the system enhancement cost so that we can do the system interfacing between Australia Post's system and the WA Police system. As Carl explained before, Australia Post needs to scan the application to WA Police, so that is the integration cost that we have incurred within WA Police system at the licensing enforcement division. That cost does not belong to Australia Post, but is as a result of the outsourcing of the application process to Australia Post; therefore, we need to capture that additional cost.

Mr P.B. WATSON: That is \$7 for each licence all over Western Australia. That is a lot of money.

Ms Foo: I am sorry?

Mr P.B. WATSON: It is an extra \$7, which you say you have captured to do something, but you are whacking that on to every licence.

Ms Foo: That \$46.65 is actually inclusive of GST. The \$53.36 that we have there is excluding GST, and the difference relates to the system enhancement cost and there is also the electronic letter set-up cost that has been charged, because we need to send out electronic letters to the applicants for the approval of the licence, the refusals of the licence, and it can be for anything else. It needs to also include the automated system between transferring data between the two systems as well. There are all different components to the makeup of that \$53.36.

Hon LJILJANNA RAVLICH: I have a question for Mr Migro in relation to the value for money review which was done by PricewaterCoopers, from memory. Are you across that?

Mr Migro: I have limited knowledge of it. That is something the commissioner or the director of finance would look after.

Hon LJILJANNA RAVLICH: The commissioner was before the Standing Committee on Estimates and Financial Operations a year or so ago saying that that audit took place and, basically, there was not much fat to cut from police. I suppose it goes to the heart of my question: are some of these increases in fees actually done for cost recovery or are they done because the department is short of funding?

Mr Migro: No; they were purely done in relation to moving to full cost recovery. This has been a process that we have been looking at for a couple of years. In the previous costs in the 2012–13 financial year, we also put a proposal up to the minister's office at that stage asking to go to full cost recovery. That was not granted, but we did get full cost recovery in relation to the other licensing functions we perform at the office in relation to second-hand dealers and pawnbrokers, and the security industry.

Hon LJILJANNA RAVLICH: I will run through some of the greatest cost increases. I will refer here specifically to a number of fees, and I hope you might be across them; they are your three biggest fee increases. One is for the application for firearm licences R3A and 3B and for a person with such a licence wanting a licence for one or more additional firearms. The old fee was \$72.50 and the new fee is \$169.50. The net increase is a 133.8 per cent increase. What is that made up of?

Ms Foo: For your information, WA Police has always set up the fees which are under full cost recovery in the past. So as part of our annual process, we conduct the process in line with government policy; and that is in relation to the costing and pricing guidelines. The objectives of that annual review being undertaken by WA Police finance each year was to try to reflect movements like inflation impacts and also the demand drive factors.

Hon LJILJANNA RAVLICH: That is a lot of inflation.

Mr P.B. WATSON: I was going to say it is a very large inflation component.

Ms Foo: But it is also in relation to trying to achieve full cost recovery wherever appropriate. But in the past we have been subsidising part of the services. I am not sure if you have that information

here, but historically we have been flagging to the minister that we do not achieve full cost recovery.

Hon LJILJANNA RAVLICH: The committee wishes to have a copy of your costing and pricing guidelines, if you can provide that to the committee.

Ms Foo: I will need to take that on notice.

The CHAIR: That is fine. That is number 1.

Hon LJILJANNA RAVLICH: Also, you made a comment in relation to subsidising other parts of services. I am interpreting that to mean that you are cross-subsidising other areas; is that correct?

Ms Foo: No; because the way we set up the fees we review the actual activity associated with firearms applications; that is being undertaken at the licensing and enforcement division. We do not look at any cross areas—like any activity associated with other licences; we just focus on the firearm activity. What we did in the time-motion study as part of the business process review was look at all these different types of licence type and then conduct a time-motion study for each. There was a process developed for each activity.

Hon LJILJANNA RAVLICH: I have a last question because I know other members want to ask questions also. In that increase from \$72.50 to \$169.50, representing a 133.8 per cent increase, I want you to provide to the committee the actual breakdown, to the last cent, of how you came to that figure. Also, I want you to provide to the committee how that is full cost recovery, rather than its being a tax or a fee over and above full cost recovery. If that information is on the slide, could you walk us through that?

Ms Foo: The breakdown is on the slide, as shown.

The CHAIR: The rate per hour seems a fairly high rate; could you explain that as you go through?

Ms Foo: On the rate per hour, is the Chairman referring to \$181.58?

The CHAIR: Yes; it is roughly \$90 an hour.

Ms Foo: That rate per hour was calculated based on the weighted average hourly rate of the time taken—that is, for sworn and unsworn officers—which equates to roughly \$86 and then it is multiplied by the 2.1 hours that was determined as part of the time-motion study.

Ms S.F. McGURK: One of our questions concerned the hourly rate and why it was so high.

Ms Foo: The hourly rate for that \$86 was arrived at using the calculation of the salary components of the officers undertaking the firearm activities, plus the operating cost that has been incurred, such as vehicle cost, accommodation cost, utility cost and everything else. As part of the costing price guideline, we need to consider the direct components of the activities and also the indirect components.

Ms S.F. McGURK: So it is those oncosts.

The CHAIR: Therefore, that includes all the costs, including the rent of premises.

Ms Foo: Yes, all the costs associated to activities at our licensing enforcement division, but only in relation to firearms activities.

Hon LJILJANNA RAVLICH: Mr Chairman, I would like a clarification of what I have asked to be provided on notice. I want Ms Foo to provide the committee with all the costs—every single cost! That means if it includes staying in a hotel, meals, telephone calls—whatever those costs might be, so that we have a comprehensive understanding of each of those component parts that make up the whole of this cost that you referred to. I want to be clear on that.

The CHAIR: That is clarification on the previous question.

Hon MARK LEWIS: If you could clarify both variable and fixed overhead costs, because I want to see whether the commissioner's salary is being attributed down.

Ms Foo: Okay.

Hon MARK LEWIS: Do you understand what I am saying?

Ms Foo: I will just have to go back to the office and try to get the information for you.

Hon MARK LEWIS: I realise you cannot get it now.

Ms S.F. McGURK: So that we are clear, we are talking about the hourly rate and exactly how you arrived at those hourly rates and what are the oncosts. That would be helpful.

Hon ROBIN CHAPPLE: You referred to a consultant's report, which was doing the weighted calculations. Is that consultancy report available, and can it be tendered to the committee?

Ms Foo: I have to go back and request if that information can be released to the committee, because the information has been provided as part of the process for the submissions to the minister seeking endorsement for the fees and charges increases.

Hon ROBIN CHAPPLE: Can we make that 2?

The CHAIR: Yes.

Hon ROBIN CHAPPLE: I understand there might be areas you do not want covered, but wherever it is possible.

Ms Foo: That report includes the whole of the licensing and enforcement division, which includes other sections' activities.

Ms S.F. McGURK: Part of the review that we want relates to the conclusions that you came to; for instance, the time in motion study et cetera. I hope I am not speaking out of turn to say that we only want that part of the report that relates to these deliberations.

Ms Foo: Is that to the arrival of the estimated time table?

Hon PETER KATSAMBANIS: No; all of the components of firearms licensing fees.

Ms Foo: That review is only looking at the business processes and business structures and also the resourcing requirement, so that review does not include calculations of how the fees are arrived.

Hon ROBIN CHAPPLE: That is fine.

Hon PETER KATSAMBANIS: That is fine.

Hon MARK LEWIS: This is sort of a converse question. In this process what does the consolidated fund provide? You are already getting funds in the consolidated budget to turn the lights on, for cleaners and to do the upgrades. There is a converse question there. You are already getting paid and I wonder whether that is being accounted for as well.

Ms Foo: That will be part of the overall operating cost in relation to the areas undertaking the firearm activity. What we did was to look at the actual cost incurred in that area.

Hon MARK LEWIS: I understand that.

Ms Foo: And we only considered the actual cost in that area in our calculations in developing the fees. Also, as part of the whole process in our review, we also conduct a reasonable test to make sure we do not over-recover the cost they actually incur by that activity and other areas as well.

Hon ROBIN CHAPPLE: Obviously, from the figures you are providing us, and we have come across this with a number of other agencies, you have not been doing cost recovery. When did your cost recovery start getting implemented?

[11.15 am]

Ms Foo: This is the first time we have actually moved towards full cost recovery. In the past, we have tried to do that. Last year, as I remember, we tried to move towards full cost recovery. However, the submission was not supported by the Economic and Expenditure Reform Committee. Therefore, last year, the fees had to remain unchanged as per the 2011–12 fees. Again, because of that unsuccessful request that was made through the upper-level management, we tried to push for full cost recovery as part of the 2013–14 review, and this time it was supported by the minister and Treasury and also by cabinet.

Hon ROBIN CHAPPLE: There is a subset to that. If you were not doing cost recovery previously, what was your take on general revenue to subsidise firearm licensing within your department? Do you have a figure on that? Obviously, if you were not getting full cost recovery, money was coming out of general revenue to pay for the police and whoever else was involved in the licensing process. Do you have an idea of what that figure coming out of general revenue was prior to going to full cost recovery? Was it \$10 million, \$7 million, \$5 million or \$1 million?

Ms Foo: Based on the information there, the total cost for that service is roughly \$6 million. That is the full cost recovery. That was part of the parliamentary question that has come back to us in the past. If I do not achieve full cost recovery, I do not have that variance. It really depends on the options of where the minister would want us to go towards in setting up the fees. When we put up the fees, we actually considered other options, which included not achieving full cost recovery. But in putting that to the minister, we also articulated that if we do not achieve full cost recovery, it may have an impact on the resources in processing the applications. Also, it will have an impact on the level of services provided to the community, which may lead to putting the community at risk. So all these factors were also articulated to the minister when we were setting up the fees.

Hon ROBIN CHAPPLE: In terms of that very point—this may be another question on notice—could we get a breakdown from you of what licensing was costing you in the budget period 2010–11 as a cost to the department because of not having full cost recovery? That would be very useful.

Ms Foo: Can you clarify that?

Hon ROBIN CHAPPLE: If we could get the costs for 2009–10, 2010–11 and 2011–12, that would be great, so that we know whether you were actually making a loss and therefore you had to go to full cost recovery.

Mr P.B. WATSON: Can we put a rider on that and also ask what you are going to get in the next 12 months, so that we can see the difference in what you are going to pick up in revenue? Do you have a rough idea about that, or could you do it on, say, last year's fees and this year's fees?

Ms Foo: I can give you an idea of the total revenue received last year, in comparison with the total cost incurred at the licensing enforcement division for firearms activity, because I did have a review of that, and we are definitely not over-recovering the cost.

Mr P.B. WATSON: We just want to make sure about that.

Hon LJILJANNA RAVLICH: Could we have what you have just described for the financial years 2009–10, 2010–11, 2011–12, 2012–13 and 2013–14 so that we can see the history.

Ms Foo: Do you want the detailed breakdown or just the total cost?

Hon LJILJANNA RAVLICH: Just the total cost.

Ms Foo: We will give you the total revenue cost and the total cost incurred for those years for firearms activity and licensing activity.

Hon LJILJANNA RAVLICH: Yes, and if we need more information in terms of fine-grain detail, we will come back to you. Could you also provide the committee with the proposed timeframe for when you anticipate that full cost recovery will be achieved?

Ms Foo: Full cost recovery will depend on the volume that comes in in that year. As part of this process, we work together with the licensing enforcement division to come up with the projected volume for the year. If we do not achieve the projected volume, we will not be achieving full cost recovery.

Ms S.F. McGURK: You have allocated \$53.36 to Australia Post in set-up costs. Can you give us the breakdown of how you arrived at that figure?

Ms Foo: The \$53.36 consists of the application component charged by Australia Post of roughly \$43.26. It also includes the form design and postage costs of about \$1.04. We have also included the project management cost and solution testing cost when the outsourcing process was conducted, and that equates to \$3.48. We have the system interfacing cost of \$3.80. We also include the time taken for call centres, and also the advertising cost, of about 52 cents. There is also the electronic letters set-up cost, and also the automated file transferring cost, of about \$1.25. All the costs that I have just spelt out equate to the total of \$53.36.

Ms S.F. McGURK: For some of those costs—for instance, project management costs, setting up the template, et cetera—how long have you given for full cost recovery for that process?

Ms Foo: That cost was determined when the outsourcing happened two years ago, I think, and we actually amortised it over four years.

Ms S.F. McGURK: So after four years, the cost could be expected to decrease?

Ms Foo: Yes. It will depend on the review at that time, because as we go through the annual review process for the fees and charges, we will sit together with Australia Post and negotiate, and it all depends on the common user agreement as well, to see if there is any change to the process.

Hon PETER KATSAMBANIS: I want to ask a series of questions about how we got here and then interrogate some of the figures. At the start, can you confirm what is the total budgeted cost of firearms licensing in this state for 2013–14?

Ms Foo: I would not be able to provide that information at this time. I can also reflect back to how we arrived at that figure, and with the projected volume, because we actually set that as a full cost recovery.

Hon PETER KATSAMBANIS: We are in the year 2013–14. There is a budget. How much is budgeted for the cost of this system, and how much is budgeted to be recovered through these fees for this current financial year?

Ms Foo: Based on the projected volume that we have been advised for 2013–14, I think it was approximately \$6 million, which is the total cost of that activity.

Hon PETER KATSAMBANIS: Can we take as a question on notice the actual budgeted amount in the firearms licensing fees regime—that is, what is budgeted to be recovered, and what is budgeted that it will cost—so that we will know for 2013–14? We will take a figure of around \$6 million for now, but I would like that on notice for 2013–14.

The CHAIR: That is question number 4.

Hon PETER KATSAMBANIS: Before we arrived at these figures, you said that some work was done around the consultants' report that was effectively a scoping time-and-motion study and costing study. Is that separate from the PWC value-for-money audit that was conducted in 2011?

Ms Foo: I am not aware of the PWC audit so I cannot really relate to that.

Hon PETER KATSAMBANIS: Are you able to tell us who the consultants were for what you said before was a time-and-motion consultants' study?

Ms Foo: That was by Fujitsu. It was an external business analyst from Fujitsu.

Hon PETER KATSAMBANIS: Okay. Was any work done in relation to that review around finding and then driving efficiencies in the system, or was it solely a costing exercise?

Ms Foo: I am not really fully aware of that report because I was not involved in conducting that review.

Hon PETER KATSAMBANIS: Are any of the other people here able to assist us with that?

Mr Migro: I was not involved in that part at the time either. But my understanding is that it looked at the processes and how things could be improved. It was not just about what actually happens but were they doing things the right way.

Hon PETER KATSAMBANIS: Are we able to get some indication, perhaps on notice, about what inefficiencies were found in the system and then what changes were implemented to drive efficiencies?

Mr Migro: It would have to be whatever was actually in the consultants' report.

Hon PETER KATSAMBANIS: Are we able to get a copy of that report? I think we have already asked for that.

Mr Migro: Yes.

Hon PETER KATSAMBANIS: Outside of that report, has there been any other study to look at what efficiencies can be gained in the system to reduce the cost from the current around \$6 million to some lower figure?

Mr Migro: At present, in relation to moving to our new computerised licensing system, we have business analysts mapping all of the processes in the whole licensing process to make sure all the systems will link and work in with each other to prevent the double-handling type situation, and as part of that business mapping, which is going on and which is the driver for the new licensing system, that is all being looked at to see whether they all need to be done or whether they can be changed.

Hon PETER KATSAMBANIS: That is a small component of the question that I am asking. I am asking for any broader scoping study about what other efficiencies can be achieved. Obviously, whether we can process a piece of paper more quickly, or whether we can make the systems sing with each other, that is great. But is there anything else that can be done to reduce the cost? Can we look at legislative changes or regulatory changes that would drive a more efficient system? Has any work been done around that?

Mr Migro: We operate in accordance with what is set out in the Firearms Act and regulations. We are bound to operate in accordance with that. The minister has announced that a review of the Firearms Act and regulations will be conducted by the Law Reform Commission, and we are waiting for that and we will be participants in that.

Hon PETER KATSAMBANIS: But you do not have any input into pushing up the line the fact that something could be done more efficiently?

Mr Migro: Put it this way, WA Police, like other people when the Law Reform Commission calls for submissions, will be making submissions in relation to the act.

Hon PETER KATSAMBANIS: So outside of that review, WA Police has not conducted any other separate review to see how it can do things better, faster and cheaper?

Mr Migro: At this stage, no. But there is also at present a review of all WA Police activities being conducted by Deputy Commissioner Brown, where they are going through every actual unit, and our licensing enforcement division will be one unit that is looked at, most probably commencing January or February next year.

Hon PETER KATSAMBANIS: Is there a timeframe for that review to be concluded?

Mr Migro: I am not aware of what the timeframe is for that.

Hon PETER KATSAMBANIS: Coming to some of the figures on that table, the first three fees have an hour component and an hourly-rate component. The first two equate to around \$85 as the hourly rate. But for the third one, the noting fee, which also is the one that has gone up substantially, the hourly rate appears to be significantly lower at \$55. Why is there a discrepancy between the two hourly rates?

Ms Foo: As I explained before, the calculation of the rate was based on the weighted average of the hourly rate for sworn and unsworn officers, and the difference between the original issue and the noting fee is that the noting fee is for additional firearms to be added to the original application. So to avoid any over cost recovery, we discounted the hourly rate to exclude the operational costs. To give you an example, if the applicant has come to us for original issue and has paid the first lot of the roughly \$246 fee, and in one month's time the applicant comes back to us to add additional firearms to the licence, we want to make sure that we are not double counting on the operational cost itself. So we actually discounted the hourly rate to exclude the operating cost component.

[11.30 am]

Hon PETER KATSAMBANIS: So only the operating cost component has been built into —

Ms Foo: The original issue.

Hon PETER KATSAMBANIS: — the original or the renewal, because that seems to be about the same rate, rather than the noting fee?

Ms Foo: Correct.

Hon PETER KATSAMBANIS: On what basis was that done?

Ms Foo: I was not really involved at the time when the decision was made for that adjustment. It was done based on the reasonable check. When we do the calculations, and based on the projected volume for that year, we look at the total revenue received for that activity to make sure that we are not over-recovering the actual cost incurred that is expected for that year.

The CHAIR: We received a submission from a Mr Tom Hunter, who is a collector of historical firearms. He points out that he has already been found to be a fit and proper person to own 120 firearms, and he asks the question, quite reasonably, I think: how can WA Police justify the cost of \$179.20 for noting an additional firearm on his licence? You know all about him, he already has 119 guns, so for one more gun to be noted, one would think that would be purely an administrative thing that might cost \$20 or \$30 or \$40, maximum.

Mr Migro: The title of that—a noting fee—is a misnomer. It is an application for an additional firearm to be added to the licence. Under the act, we are required to look at genuine need and genuine reason for that additional firearm. Therefore, it has to go through the process that is in accordance with the act.

The CHAIR: So basically every additional firearm is treated almost like a brand new application, because the act requires you do that?

Mr Migro: The act requires us to look at it under genuine need and genuine reason.

Hon PETER KATSAMBANIS: On whose interpretation is that a requirement? Have you received advice on this issue from the Solicitor-General or anybody else?

Mr Fisher: It comes under sections 11A and 11B of the act—genuine need and genuine reason. All firearm applications will be addressed in the same manner. The legislation says that we need to treat them all in the same manner.

Hon PETER KATSAMBANIS: Is that for an application to own a firearm or an application to note?

Mr Fisher: It is for all applications.

Hon PETER KATSAMBANIS: Is that the Solicitor-General's interpretation?

Mr Fisher: I could not tell you that.

Hon PETER KATSAMBANIS: I am aware of a significant disparity of view among people in the general community who believe, firstly, that WA Police's interpretation of the act is far more rigorous or far more onerous than what was intended by the legislation and, secondly, that in the aftermath of the Port Arthur massacre, where there was a move for more uniformity of licensing across Australia, the intent was not to go down that onerous path of treating every application for another firearm as a new application. I guess there are two components to that. One is a concern that WA Police is applying an overly restrictive interpretation of the act, and the other is that the act itself does not reflect the national view as it existed post Port Arthur and therefore needs amending. I will not labour you on the second point, because that is beyond your scope, but I would like some indication of what type of legal advice you have received on the first point around the fact that an application to have another firearm licence is itself considered to be a *de novo*, or new, licensing application.

Mr Migro: It is just what is in the act.

Hon PETER KATSAMBANIS: It is your interpretation of what is in the act. Given the consternation and given that there are significant sections of the public who do not believe that is a correct interpretation, and obviously the costs of debating that in a court of law are prohibitive, have you sought advice to make sure that you are on the right path around that? I would expect that a quick request to the Solicitor-General for advice would provide that level of comfort for the community.

Mr Migro: We have not had any concerns with that interpretation.

Hon PETER KATSAMBANIS: Let me put on the record now that I have, and I have been a member of Parliament for three months!

Mr Migro: In all of the parliamentary questions and ministerial files that I have received in the last 18 months, that has never come up as an issue.

Hon PETER KATSAMBANIS: Seeing that I have raised it, can you provide us with some form of legal basis that goes beyond, "That is what the act says"? I am requesting you to provide the legal advice that you have for this determination of how you are proceeding with firearm licensing.

The CHAIR: That will be number five.

Hon LJILJANNA RAVLICH: While we are on the noting fee, I want to refer to correspondence that was received by the committee from Hon Rick Mazza, MLC. He states in that correspondence that the noting fee has risen by 134 per cent to \$169.50 for the addition of a new firearm to an existing licence, and for each existing licensee to co-license a single firearm. The fee for an addition to a licence is \$9.20 in Victoria and \$40 in New South Wales. Can you explain to me why there is a cost discrepancy between Victoria and New South Wales and Western Australia at \$169.50?

Mr Migro: I do not know what the licensing setups are in those states. Our only comment on that has been that we have moved to full cost recovery, and those other jurisdictions do not operate under full cost recovery. I am also informed that there are differences in legislation across jurisdictions.

Hon PETER KATSAMBANIS: I want to refer to another issue that has been raised by my colleague Hon Rick Mazza, who is in the public gallery today but due to our standing orders is unable to participate in this hearing. He states also in his correspondence to the committee that a report by the Auditor General last year found that the firearm management system is inaccurate and

unreliable. What has WA Police done to correct that anomaly in the firearm management system and make it more reliable and more accurate? What action has been taken in response to that report?

Mr Migro: Part of the process has been the movement towards the development of a new firearm licensing registry system, which is currently progressing, and the government has approved money—I think about \$6.87 million—for a new firearm licensing registry system.

Hon PETER KATSAMBANIS: Are applicants under the current system, given that we are working with the current system, being forced to pay for that inaccuracy and that unreliability?

Mr Migro: No. A lot of the comments that were made by the Office of the Auditor General in that report related to issues of some inefficiencies, the way that police systems did not talk to each other, how our registry system did not necessarily always link into IMS, and a number of general other issues there and faults actually in the system in relation to deceased estates as well.

Hon PETER KATSAMBANIS: But inefficiencies mean time, and time, under the tables that you have provided, means a lot of money. So inefficiencies would ipso facto lead to the fact that people are being charged for this system that is not doing what it was intended to do.

Mr P.B. WATSON: Have those inefficiency costs been added in?

Ms Foo: This was developed based on the weighted average of the applications. We have simple and complex applications, which also includes some efficiency in the processing, maybe. The way that we calculated the time was based on the weighted average, so we think that is reasonable enough to be used for developing the fees.

Mr P.B. WATSON: So will the fees drop when your inefficiencies get better?

Ms Foo: It is the weighted average time. If 40 out of 100 applications are simple and 60 out of that 100 are complex, those 60 applications may take five hours or six hours in the application process, versus probably one hour for the simple applications, so that time was developed based on the weighted average.

Hon PETER KATSAMBANIS: I understand that. But it includes the inefficient use of time as identified by the Auditor General.

Mr Migro: Most of those things that were identified were not in relation to the licensing process. They were about some of the record keeping in relation to deceased estates, et cetera.

Hon PETER KATSAMBANIS: How is that then taken out of the costing model? I would assume that the time taken to deal with those applications would be included as part of the total resourcing of the licensing area—it would have to be, unless it was done by some other section.

Mr Migro: No. In order to fix some of those problems, we have brought in additional staff, and that is not included in the fees and charges.

Ms Foo: For your information, there was a backlog a couple of years ago, and the commissioner has put in additional temporary resourcing to help to assist with the backlog of applications. Because those resources were given to us for a temporary period to fix up the issue with the application process, that part of the cost has not been included as part of my fees.

Hon PETER KATSAMBANIS: That goes back to, again, the need for us to receive that information about the annual budgeted costs and budgeted revenue so that we can identify that. So I would appreciate it if that could be provided to us before we make our deliberations on these fees.

Hon LJILJANNA RAVLICH: This may well have been answered and I may have missed it, but does the firearms branch have a costing or pricing guideline or policy for services?

Ms Foo: The pricing policy is in line with the government policies, which is given to us from Treasury. So the costings are in line with the Treasury guidelines in setting up the fees.

Hon LJILJANNA RAVLICH: Could you provide a copy of that to the committee; and if you have any other costing or pricing guidelines that are used by the firearms branch, could you also provide that.

Ms Foo: I think that has been requested previously.

The CHAIR: Yes, so that is fine. The time has now run out for this hearing. Do you want to make any closing comments or statements?

Mr Migro: No; we are just happy to come before you!

Hon PETER KATSAMBANIS: And we are always happy to have you!

The CHAIR: Thank you very much. You have certainly given us some useful information, and there are some issues in terms of the legislation and the difference between “noting” and “new applications” that need to be looked at and that hopefully will drive prices down, but we will wait to see what happens.

For the benefit of everyone, including those in the public gallery, because this is a public hearing, once the transcript has been finalised, the people who participated in this hearing will be given a copy of the transcript and they will be given a certain number of days to make any corrections to it and return it to us, and it will then be posted on the committee website and will be publicly available for everyone to look at and to communicate about. So I thank everyone for their interest, and I thank WA Police also for providing us with that information.

Hearing concluded at 11.44 am

Responses to JSCDL queries for Firearms Licences

4. How did you arrive at 2.10 hours for a Schedule 1A 'firearm licence – original issue (1 year)'?"

- A Business Process Review and a time in motion survey were both conducted.
- From the business process review, an estimated minimum and maximum time for simple and complex applications was identified. A weighted average time was calculated which is considered to be a reasonable estimate of the average time taken to complete the processing of an application.
- The 2.10 hours includes time for call centre, processing, approval and refusal time, administration time and probity checking time.

5. What makes up the 'rate per hour'?

There are several components that make up the rate per hour (Total of \$86.65 per hour);

- Salary \$54.49
- Operational Costs \$10.48
- Corporate Overheads \$21.68

6. Explain what "compliance costs per volume" means.

- One recommendation from the Business Process Review was to implement a risk based approach to Licensing Compliance activities to meet OAG requirements and minimise risk to the Agency and the public.
- WA Police Finance consulted with Licensing Enforcement Division. A compliance audit plan was developed for the fees and charges costing.
- The compliance audit plan considered;
 - The volume of total firearm licence holders;
 - A target audit volume across all licence types, driven by OAG's recommendation to increase compliance activities.
 - A weighted average estimate of the amount of time taken by LED compliance officers to attend to an audit (Weighted between Metro and Regional WA).
- Based on the Target audit volume and estimated time per audit, this allowed Finance to determine the number of FTEs required for compliance activities.
- It was considered that each licence transaction (new, additional or renewal) had the same probability of being subject to a compliance audit. On that basis the compliance costs were allocated evenly across the projected volume of applications & renewals. Hence, the description "Compliance costs per volume".

9. What does the agency consider to be an 'on-cost'? Identify and explain what 'on-costs' are included in a 'firearm licence – original issue (1 year) fee.

The agency considers the 'on-cost' to include Superannuation, Long Service Leave and Leave Loading.

11. Provide a comparison of firearms licence costs (not fees) with that of other jurisdictions.

- **Are there any circumstances unique to Western Australia affecting the costs of firearms licences?**

Legislation is unique to each jurisdiction. WA Police is unable to provide such a comparison as WA Police is not across the legislation in the other jurisdictions.

During the hearing, the Committee asked a question about licence costs in other jurisdictions and raised the issue that it only cost \$9.00 for an addition in Victoria. Mr Migro responded that he was not across the legislation in the other jurisdictions, that they weren't full cost recovery and of course there would be differences in the legislations between jurisdictions.

Attached is a scanned copy of fees charged in other jurisdictions.

12. What processes are in place when firearms licences are not paid? For example, are firearms confiscated and destroyed?

Thirty five (35) days prior to a firearm license expiring a renewal form is forwarded to the applicant at the last known place of address. This is a courtesy by the Commissioner of Police as the Firearm Act advises he may issue a renewal, or he may not choose to do so, or he may require a licence holder to justify why he should retain a licence and firearms.

Twenty eight (28) days after the licence expiry date an advisory letter is forwarded to the license holder advising of the WA Police intent to issue an infringement for non renewal of the licence.

Three (3) months after the licence expiry date an infringement is created and together with a renewal form they are forwarded to the local Police station for service.

On attendance by Police if the renewal has already been paid the documents are not served and the file returned to Licensing services. If the holder has not paid a renewal the documents are served on him/her and he/she is provided with a further twenty eight (28) days to pay the renewal and infringement.

If not paid in the twenty eight days (28) police attend a second time, if he/she has not paid the renewal, the firearm/s are seized and held pending a summons and court case. If the renewal is paid but not the infringement firearms are left with the holder however a summons will be issued for unlicensed firearms for the first three (3) months they were unlicensed.

At the end of any Court case and if a Magistrate has not provided instructions or any order for destruction and assuming the person is not 'fit or proper' to have a firearms licence Police will revoke the licence under Section 20 and serve a Section 33 notice on the ex licence holder.

The ex licence holder then has 3 months to dispose of the firearms either by sale or gift to a licensed dealer or other person, he may sign a form P94 for firearm destruction.

If after expiration of 3 months of the Section 33 notice having been served and no advice has been received from an ex firearm licence holder, Police have authority under the Act to dispose of the firearms.



Minister for Police; Tourism;
Road Safety; Women's Interests

Our Ref: 45-05464

Ms Stacey Martin
Committee Clerk
Joint Standing Committee on Delegated Legislation
Parliament House
PERTH WA 6000

Dear Ms Martin

**JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION – INQUIRY
INTO THE FIREARMS AMENDMENT REGULATIONS 2013**

I refer to the public hearing of the Joint Standing Committee on Delegated Legislation on Wednesday, 11 September 2013.

Please find attached responses to the Supplementary Information questions (Questions on Notice) for Western Australia Police in relation to this hearing.

Yours sincerely

A handwritten signature in blue ink that reads "Liza Harvey".

**LIZA HARVEY MLA
MINISTER FOR POLICE; TOURISM;
ROAD SAFETY; WOMEN'S INTERESTS**

Att:

24 SEP 2013

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION
INQUIRY INTO THE FIREARMS AMENDMENT REGULATIONS 2013

QUESTIONS ON NOTICE SUPPLEMENTARY INFORMATION

Monday, 26 September 2013

WESTERN AUSTRALIA POLICE

(1) Hon LJILJANNA RAVLICH has asked –

The committee wishes to have a copy of your costing and pricing guidelines, if you can provide that to the committee.

Answer (1):

The “Costing and Pricing Guidelines Government Services” Fifth Edition published April 2007 is attached.

(2) The following dialogue took place:

Hon LJILJANNA RAVLICH: Mr Chairman, I would like a clarification of what I have asked to be provided on notice. I want Ms Foo to provide the committee with all the costs—every single cost! That means if it includes staying in a hotel, meals, telephone calls—whatever those costs might be, so that we have a comprehensive understanding of each of those component parts that make up the whole of this cost that you referred to. I want to be clear on that.

The CHAIR: That is clarification on the previous question.

Hon MARK LEWIS: If you could clarify both variable and fixed overhead costs, because I want to see whether the commissioner’s salary is being attributed down.

Ms Foo: Okay.

Hon MARK LEWIS: Do you understand what I am saying?

Ms Foo: I will just have to go back to the office and try to get the information for you.

Hon MARK LEWIS: I realise you cannot get it now.

Ms S.F. McGURK: So that we are clear, we are talking about the hourly rate and exactly how you arrived at those hourly rates and what are the oncosts. That would be helpful.

Hon ROBIN CHAPPLE: You referred to a consultant’s report, which was doing the weighted calculations. Is that consultancy report available, and can it be tendered to the committee?

Ms Foo: I have to go back and request if that information can be released to the committee, because the information has been provided as part of the process for the submissions to the minister seeking endorsement for the fees and charges increases.

Hon ROBIN CHAPPLE: Can we make that 2?

Answer (2):**Break-up of 2013-14 rate per hour of \$86.65**

Component	Sub-Component	Additional Information	\$	\$
Salary (Direct Costs)	Reflects the average rate of Normal Salary, Leave Loading, Long Service Leave, Superannuation, Higher Duties Allowance and Overtime & Training only.	This is the average rate for Sworn and Unsworn FTEs directly engaged at Licensing Enforcement Division associated with Firearms Licensing.		54.49
Corporate Overheads (Indirect costs)	These are costs associated with such things as executive administration, financial services, human resources, legal services.	These indirect costs are not directly attributable to the Firearms Licensing. WA Police has captured Corporate Overheads in line with the "Costing and Pricing Guidelines" per Attachment 1. The hourly rate applied to the Firearms Licences reflects a subsidised rate in comparison to the agency average corporate overhead hourly rate of approximately \$42 per hour for 2013-14.		21.68
Operational Costs (Direct costs)	Accommodation	This is the leasing cost for accommodation of the premises occupied by the Licensing Enforcement Division at Cannington associated with Firearms Licensing.	5.73	10.48
	Depreciation/Amortisation	This is the depreciation of physical assets and amortisation associated with Firearms Licensing.	2.32	
	Database maintenance	This reflects the annual maintenance costs of the firearm database.	1.27	
	Operating Expenses	The operating expenses are a reflection of the actual costs expended by the Licensing Enforcement Division at Cannington associated with Firearms Licensing. This includes such costs as office consumables, accommodation maintenance and advertising.	1.16	
Total				86.65

(3) The following dialogue took place:

Hon ROBIN CHAPPLE: In terms of that very point—this may be another question on notice—could we get a breakdown from you of what licensing was costing you in the budget period 2010–11 as a cost to the department because of not having full cost recovery? That would be very useful.

Ms Foo: Can you clarify that?

Hon ROBIN CHAPPLE: If we could get the costs for 2009–10, 2010–11 and 2011–12, that would be great, so that we know whether you were actually making a loss and therefore you had to go to full cost recovery.

Mr P.B. WATSON: Can we put a rider on that and also ask what you are going to get in the next 12 months, so that we can see the difference in what you are going to pick up in revenue? Do you have a rough idea about that, or could you do it on, say, last year's fees and this year's fees?

Ms Foo: I can give you an idea of the total revenue received last year, in comparison with the total cost incurred at the licensing enforcement division for firearms activity, because I did have a review of that, and we are definitely not over-recovering the cost.

Mr P.B. WATSON: We just want to make sure about that.

Hon LJILJANNA RAVLICH: Could we have what you have just described for the financial years 2009–10, 2010–11, 2011–12, 2012–13 and 2013–14 so that we can see the history.

Ms Foo: Do you want the detailed breakdown or just the total cost?

Hon LJILJANNA RAVLICH: Just the total cost.

Ms Foo: We will give you the total revenue cost and the total cost incurred for those years for firearms activity and licensing activity.

Answer (3):

	2009-10 ACTUAL	2010-11 ACTUAL	2011-12 ACTUAL	2012-13 ACTUAL	2013-14 BUDGET
	\$m	\$m	\$m	\$m	\$m
Total Cost	4.5	4.4	6.4	5.8	6.0
Total Revenue	4.1	4.2	6.0	5.0	6.0
Shortfall	0.4	0.2	0.4	0.8	Nil

* The above table includes all third party costs such as Australia Post.

(4) The following dialogue took place:

Hon PETER KATSAMBANIS: I want to ask a series of questions about how we got here and then interrogate some of the figures. At the start, can you confirm what is the total budgeted cost of firearms licensing in this state for 2013–14?

Ms Foo: I would not be able to provide that information at this time. I can also reflect back to how we arrived at that figure, and with the projected volume, because we actually set that as a full cost recovery question.

Hon PETER KATSAMBANIS: We are in the year 2013–14. There is a budget. How much is budgeted for the cost of this system, and how much is budgeted to be recovered through these fees for this current financial year?

Ms Foo: Based on the projected volume that we have been advised for 2013–14, I think it was approximately \$6 million, which is the total cost of that activity.

Hon PETER KATSAMBANIS: Can we take as a question on notice the actual budgeted amount in the firearms licensing fees regime—that is, what is budgeted to be recovered, and what is budgeted that it will cost—so that we will know for 2013–14? We will take a figure of around \$6 million for now, but I would like that on notice for 2013–14.

The CHAIR: That is question number 4.

Answer (4):

The total budgeted revenue and expenditure for 2013–14 is \$6.0m.

(5) Hon PETER KATSAMBANIS has asked –

Hon PETER KATSAMBANIS: Seeing that I have raised it, can you provide us with some form of legal basis that goes beyond, “That is what the act says”? I am requesting you to provide the legal advice that you have for this determination of how you are proceeding with firearm licensing.

The CHAIR: That will be number five.

Answer (5):

In Western Australia the granting, regulation and monitoring of firearms licences is governed by statute, namely the Firearms Act 1973 and its associated Regulations. An individual and/or a body corporate cannot possess or use a firearm without an appropriate firearm licence.

Under the Firearms Act the Commissioner is responsible for considering and granting firearms licences. In exercising his discretion under the Act, pursuant to section 11, the Commissioner cannot grant an approval or permit or issue a firearm licence to a person or body if he is of the opinion that, amongst other things; to do so would be contrary to section 11A or regs under section 11B or section 11C; it is not desirable in the interests of public safety; or the person is not a fit and proper person to hold the licence.

Section 11A requires that a person must show they have a genuine reason for acquiring or possessing a firearm or ammunition before the Commissioner will grant a licence. Genuine reason is defined in section 11A(2) of the Act.

Further, the Act requires that for prescribed categories of firearms, the Commissioner cannot grant a licence or permit unless the Commissioner is satisfied that the person has a genuine need to acquire or possess a firearm or ammunition of that category.

When enacting the firearms legislation, Parliament was clear that the issuing of firearms licences and permits must be governed by the legislation. Although the Commissioner has some discretion within the legislation when considering whether or not to approve and issue licences and permits the Act is clear that section 11A must be complied with (ie demonstrating a genuine purpose) and, with certain categories of firearms, section 11B must be complied with (ie demonstrating a genuine need).

Some case law that is referred to on a regular basis is the Kashani decision and below is where it can be accessed.

<http://decisions.justice.wa.gov.au/supreme/supdcsn.nsf/PDFJudgments-WebVw/2011WASC0006%24FILE/2011WASC0006.pdf>

Jenkins J, held in *Kashani v Commissioner of Police* [2011] WASC 6 that the determination of whether or not a firearm ‘can be reasonably justified’ had to be made in light of all relevant factors including matters personal to the applicant, matters relevant to the public and matters relating to the particular kind of firearm the subject of the application. Section 11A(3), in its terms, is very broad and allows the decision maker to take into account any consideration which could rationally affect an assessment as to whether a firearm was reasonably justified. Kashani submitted that the decision maker could only take into account the characteristics of the firearm the subject of the application and the reason for which that firearm was wanted. Jenkins J held that there is nothing in the statutory provision to place such a restriction on its meaning.

Therefore, we would submit that the Act gives the decision maker a broad discretion to take into account anything that is relevant in assessing an application.

APPENDIX 2

LETTER FROM THE MINISTER FOR POLICE

REGARDING SECTION 18(10) OF THE ACT

APPENDIX 2
LETTER FROM THE MINISTER FOR POLICE REGARDING
SECTION 18(10) OF THE ACT



Minister for Police; Tourism;
Road Safety; Women's Interests

Our Ref: 45-05852
Your Ref: 3906/13

Mr Peter Abetz MLA
Chairman
Joint Standing Committee on Delegated Legislation
Parliament House
PERTH WA 6000

Dear Mr Abetz *Peter*

FIREARMS AMENDMENT REGULATIONS 2013 – THE NOTING FEE

Thank you for your letter of 17 October 2013 concerning the resolution of Joint Standing Committee on Delegated Legislation to request further information in respect to the Firearms Amendment Regulations 2013, specifically the noting fee.

The Committee is of the view that section 18(10) of the *Firearms Act 1973* (the Act) contemplates an alternative practice for a Noting type application with the Commissioner (and in practice his delegate) being satisfied that the public interest is not jeopardised. The Committee requests your view of section 18(10) of the Act.

The Western Australia Police has interpreted the question from the Committee to be in relation to that of a Collectors licence and the additional application process.

In applying section 18(10) of the Act, Police must also be aware of their obligations under sections 11A and 11B of the Act, namely genuine need and genuine reason. Police must also take into account regulation 3BA and 3B of the *Firearms Regulations 1974* (the Regulations).

Section 15 of the Act places a requirement on the Commissioner to be satisfied that a firearm can form part of a genuine firearm collection. Sub sections 5 – 8 detail what the Commissioner is required to consider in making a determination on whether or not the firearm can form part of a genuine firearm collection and sub sections 3 and 4 relate to a student of arms. Additionally sub section 9 provides another consideration that the Commissioner may take into account.

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Section 15 of the Act states;

15. Firearm collections

- (1) For the purposes of this Act a firearm can form part of a genuine firearm collection only if, in the opinion of the Commissioner, it has significant commemorative, historical, thematic, or heirloom value.
- (2) The fact that there is only one firearm in a collection does not prevent it from being a genuine firearm collection for the purposes of this Act.
- (3) For the purposes of this Act, a handgun manufactured after 1946 can form part of a genuine firearm collection only if —
 - (a) it is owned by a person who is, in the opinion of the Commissioner, a student of arms as defined in subsection (4); and
 - (b) the handgun is within the scope of that person's interest as a student of arms.
- (4) In subsection (3) —

student of arms means a person who can be shown to have a prolonged and genuine interest in the study, preservation, or collection of firearms.
- (5) In considering whether a firearm has significant commemorative value, the Commissioner has to take into account any special significance that the firearm, or any firearm or firearms of the same kind as that firearm or of a related kind, has to a particular event in history.
- (6) In considering whether a firearm has significant historical value, the Commissioner has to take into account any special significance that the firearm, or any firearm or firearms of the same kind as that firearm or of a related kind, has to a particular period in history.
- (7) In considering whether a firearm has significant thematic value, the Commissioner has to take into account any special significance that the firearm, or any firearm or firearms of the same kind as that firearm or of a related kind, has to the development, manufacture, or use of firearms.
- (8) In considering whether a firearm has significant heirloom value to a particular person, the Commissioner has to take into account any special significance that the firearm has because it was owned or possessed by a direct or indirect member of that person's family.
- (9) In considering whether or not it would be appropriate for a person to obtain, or continue to hold, a Firearm Collector's Licence, the Commissioner may take into account any information provided about that person by a person or body designated under section 15A as an accredited society of collectors.

After considering sections 11A, 11B and 15 of the Act and regulations 3BA and 3B of the Regulations, it is the view of WA Police that there would need to be a special set of circumstances to occur for section 18(10) of the Act to prevail over the

requirements of sections 11A, 11B and 15 of the Act and Regulations 3BA and 3B of the Regulations.

There are currently 3,016 licensed firearm collectors in Western Australia who possess a total of 14,685 licensed firearms. In response to the concern of the licensed collector who has 120 firearms, it should be noted that most large collectors will usually apply for between 15 to 20 firearms to be licensed when they apply for the additional licence.

The Noting fee of \$179.20 applies to any number of additional firearms to be added to a licence. For example, if an applicant wished to licence 50 or more firearms in the one submission, the process would proceed on the one fee.

The Committee also requests details of the dollar cost of the Commissioner's involvement in such applications; that is, when he is asked to be satisfied that an originating application is not required.

WA Police has interpreted the question from the Committee to be in relation to the involvement of the Commissioner or Commissioner's delegated authority in such applications. The Noting fee for Collectors of \$179.20 includes direct WA Police costs and third party (Australia Post) costs. WA Police's costs, including reviewing, approving and processing of noting fee applications is \$114.57.

Assessment of the noting applications takes into consideration Sections 11A, 11B and 15 of the Act; Regulations 3BA and 3B of the Regulations; the processing and recording of the additional firearm and change to the licence into the firearms registry system.

Yours sincerely



**LIZA HARVEY MLA
MINISTER FOR POLICE; TOURISM;
ROAD SAFETY; WOMEN'S INTERESTS**

25 OCT 2013

APPENDIX 3
OTHER JURISDICTIONS' FEES

APPENDIX 3

OTHER JURISDICTIONS' FEES



(<http://www.police.act.gov.au/about-us/100-years-of-policing.aspx>)

(<http://www.facebook.com/australianfederalpolice>)

Firearms permits and fees

Access all firearms forms on the **ACT Policing forms** page under the **Contact** section of this website.

Firearms licence fees

The cost of a permit to acquire a firearm includes both the registration of the firearm and the permit to acquire the firearm.

Licence type	Term	Fee
Category A, B, C or H Firearms licence	5 years	\$123.00
Category A Paintball licence	5 years	\$123.00
Category A, B, C, D or H licence (business or employment, occupational requirements relating to rural purposes or composite entity)	2 years	\$248.00
Firearms Dealer's licence	5 years	\$1247.00
Firearms Dealer's Club Armourer's licence	5 years	\$165.00
Collector's licence	5 years	\$123.00
Heirloom licence	5 years	\$41.00
Application to issue a copy of a licence or permit		\$41.00
Application for a permit to acquire a firearm (\$16.00 for permit and \$16.00 for registration)		\$32.00
Application for registration of a firearm		\$16.00
Application to be a Registered User of a firearm		\$16.00
Minor's licence		\$41.00
Firearms permit		\$41.00

Renewing a firearms licence

Existing firearms licence holders should apply between 30 and 60 days prior to the expiration of their current licence. Reapplication notices are sent out two months prior to expiry. Licensees should make sure they re-apply before their licence expires. Any



NW Police Force
www.police.nsw.gov.au

FIREARMS REGISTRY Schedule of Fees

Fees prescribed by the Firearms Act 1998, the Firearms Regulation 2006, the Weapons Prohibition Act 1998 and the Weapons Prohibition Regulation 2009.

INDIVIDUAL LICENCE FEES	TERM	FEE	WHERE TO PAY
CATEGORY A, B, C, D or H LICENCE	2 YRS	\$100	Pay at the RMS when licence is produced
CATEGORY A, B, C, D or H LICENCE	5 YRS	\$200	Pay at the RMS when licence is produced
FIREARMS COLLECTOR LICENCE	5 YRS	\$75	Pay at the RMS when licence is produced
PROBATIONARY PISTOL LICENCE	1 YR	\$100	Pay at the RMS when licence is produced
PROVISIONAL PISTOL LICENCE / SECURITY	1 YR	\$250	Pay at the RMS when licence is produced

FEE EXEMPTIONS - PENSIONERS Category A, B, H & Probationary Pistol Licence ONLY

FEE EXEMPTIONS - PRIMARY PRODUCERS category A, B or C where primary production is the sole genuine reason held on the licence

ADDING CATEGORY A,B,C,D,G TO EXISTING LICENCE	N/A	\$40	Pay at the RMS when licence is produced
ADD COLLECTING TO EXISTING LICENCE	N/A	\$40	Pay at the RMS when licence is produced
ADDING CATEGORY H TO EXISTING LICENCE	N/A	\$100	Pay at the RMS when licence is produced
DUPLICATE LICENCE	N/A	\$75	Pay at the RMS when licence is produced

PRIMARY PRODUCERS & PENSIONERS who are afforded an exemption on the initial or subsequent licence are exempt from a fee for a duplicate licence.

ANY COMPOSITE LICENCE - the higher fee applies.

ALL RE-APPLICATIONS ATTRACT THE SAME FEE AS THE INITIAL LICENCE except a firearms collector licence where the re-application is \$40.

NO FEE APPLIES to a change of residential or safe storage address on an Individual licence.

BUSINESS LICENCE FEES	TERM	FEE	WHERE TO PAY
BUSINESS/CLUB/GOVERNMENT AGENCY	2 YRS	\$100	Pay with application to Firearms Registry
BUSINESS/CLUB/GOVERNMENT AGENCY	5 YRS	\$200	Pay with application to Firearms Registry
FIREARMS DEALER LICENCE	5 YRS	\$500	Pay with application to Firearms Registry
THEATRICAL ARMOURER LICENCE	5 YRS	\$500	Pay with application to Firearms Registry
CLUB ARMOURER LICENCE	5 YRS	\$100	Pay with application to Firearms Registry
ADDING CATEGORY ABCD TO EXISTING LICENCE	N/A	\$40	Pay with application to Firearms Registry
ADDING CATEGORY H TO EXISTING LICENCE	N/A	\$100	Pay with application to Firearms Registry
DUPLICATE LICENCE BUSINESS	N/A	\$75	Pay with application to Firearms Registry

NOTE: CHANGE OF LICENCE HOLDER on any licence requires a new application to be made.

MISCELLANEOUS	TERM	FEE	WHERE TO PAY
EMPLOYEE AUTHORITY	N/A	\$25	Pay with application to Firearms Registry
RANGE APPROVAL	5 YRS	\$100	Pay with application to Firearms Registry
CLUB APPROVAL	N/A	NIL	N/A
CERTIFICATE OF INSPECTION - FIREARMS ONLY	N/A	\$100	To police upon request
FIREARM REGISTRATION - PP & PENSIONER EXEMPT	N/A	\$10	Pay with application to Firearms Registry
FIREARMS INSTRUCTOR AUTHORITY	5 YRS	\$75	Pay with application to Firearms Registry

PRIMARY PRODUCERS & PENSIONERS ARE AFFORDED AN EXEMPTION FROM THE FEE TO REGISTER A FIREARM

Vers 1.7 March 2013

PERMIT TO ACQUIRE (PTA) FEES		TERM	FEE	WHERE TO PAY
PERMIT TO ACQUIRE LONGARM OR HANDGUN	90 DAYS	\$30	Pay with application to Firearms Registry	
DUPLICATE PERMIT TO ACQUIRE	90 DAYS	\$30	Pay with application to Firearms Registry	
PERMIT TO ACQUIRE fee exemptions apply to pensioners and primary producers on all categories of firearms.				
PERMIT FEES		TERM	FEE	WHERE TO PAY
OPERATE SAFARI TOURS	5 YRS	\$500	Pay with application to Firearms Registry	
CONDUCT PAINTBALL GAMES	5 YRS	\$500	Pay with application to Firearms Registry	
FIREARMS INSTRUCTOR PERMIT	5 YRS	\$75	Pay with application to Firearms Registry	
TRANQUILLISER FIREARM	5 YRS	\$100	Pay with application to Firearms Registry	
AMMUNITION PERMIT	As specified	\$30	Pay with application to Firearms Registry	
ALL OTHER FIREARMS PERMITS	5 YRS	\$75	Firearms Registry or RMS as instructed	
DUPLICATE FIREARMS PERMIT	N/A	\$75	Firearms Registry or RMS as instructed	
PROHIBITED WEAPONS PERMITS - ALL	5 YRS	\$127	Pay with application to Firearms Registry	
AUTHORISED PERSONS - ON PW PERMIT	N/A	\$25	Pay with application to Firearms Registry	
INSPECTION OF PREMISES FOR PW PERMIT	N/A	\$100	To police upon request	
DUPLICATE PROHIBITED WEAPONS PERMIT	N/A	\$40	Pay with application to Firearms Registry	
FURTHER INFORMATION				
All fees are listed in Australian dollars & no GST is applicable on any fee.				
All individual licence fees are paid at the RMS when your photo licence is issued.				
Most fees for permits are made at the time of application to the Firearms Registry.				
See the FACT Sheets relevant to each permit type for further information on payment method.				
Fees paid to the Firearms Registry can be paid by credit card, money order or cheque.				
Cheques and money orders must be made payable to the NSW Police Force.				
Credit card payment - we accept Visa or Mastercard. Include cardholder's name, signature, date of authorisation, complete card number and expiry date, type of card and the amount you authorise to debit.				
Where insufficient funds are available for payment by cheque or credit card, your application will be delayed				
If a receipt is required for taxation purposes, please submit the request in writing.				
DO NOT SEND CASH with any application requiring payment at Firearms Registry.				
Submit payment with original applications only. DO NOT FAX applications.				
If payment is made separately to the application, please include customer identification (name, licence/permit number) and phone number.				
FEE EXEMPTIONS				
Proof of pensioner or primary producer status is required in order for a fee exemption to be processed.				
PRIMARY PRODUCTION - evidence required		PENSIONER - evidence required		
Letter from accountant verifying primary production		Centrelink Pensioner Card		
Primary Producer declaration		Department of Veterans Affairs Card		
Notice of tax assessment				
<div>Firearms Registry</div> <div>Locked Bag 1 Murwillumbah NSW 2484</div> <div>Phone 1300362562 - Refer to Finance Unit</div> <div>Fax 0266708558</div> <div>Email: firearmsenq@police.nsw.gov.au</div>				
Vers 1.7 March 2013				



NORTHERN TERRITORY POLICE FIREARMS & WEAPONS RELATED FEES

As at 3 JULY 2013

LICENCE TYPE	DURATION	FEE
Antique	No expiry	No fee
Armourer's	1 year	\$80.00
Category H Sport Shooters	1 year	\$107.00
Collectors	5 years	\$123.00
Corporate	1 year	\$107.00
Employees	1 year	\$53.00
Firearm Dealer	1 year	\$428.00
Firearm Dealer Nominee (employee)	Specified	No fee
Firearms Club	3 years	\$246.00
Heirloom	No expiry	No fee
Instructors	1 year	\$53.00
Junior Club	Until 18 th birthday	\$53.00
Museum	5 years	\$128.00
Paintball Operators	1 year	\$321.00
Paintball Employee Licence	1 year	\$53.00
Shooters - Category A and / or B	5 years	\$107.00
Shooter - Category C	3 years	\$107.00
Shooter - Category C with A, B (or combination thereof)	3 years	\$107.00
Shooter - Category H	1 year	\$107.00
Shooter - Category H (in combination with other categories)	1 year	\$107.00
Shooting Gallery Licence	5 years	\$34.00

PERMIT TYPE	DURATION	FEE
Ammunition Retail Outlet Permit	1 year	\$53.00
Application for Permit to carry on the business of Paintball Operator at a Temporary Paintball Range	Specified	\$17.00
Collectors Permit (discharge collectors piece)	Specified	\$53.00
Hire or lease of firearm	3 months	\$53.00
International Visitor Permit	Specified	\$53.00
Permit for authorised reason under Regulations	Specified	\$53.00
Prescribed sale, transfer or acquisition	Specified	No fee
Permit – Purchase, Acquisition (includes registration)	3 months	\$53.00
Shortening/Conversion of firearm	Specified	No fee
Sport Shooters Permit	3 months	\$53.00
Temporary Permit	Specified	\$53.00
Temporary Permit for specified reason	Specified	\$53.00
Theatrical Permit	Specified	\$53.00
Transfer Permit (interstate transfer, deceased estates, between licences same person (per firearm))	3 months	\$10.00

OTHER	DURATION	FEE
Application for Approval to Use Premises as a Paintball Range	N/A	\$53.00
Approval under Section 10 of the Weapons Control Act (Authority to Purchase)	N/A	\$18.00
Approval – Possess & use Paintball firearms / pellets– temporary paintball range	N/A	107.00
Approval under Section 13 of the Weapons Control Act (Individual)	3 years	\$36.00
Approval under Section 13 of the Weapons Control Act (Business)	3 years	\$36.00
Application - (duplicate authority or approval) Section 24 Weapons Control Act	N/A	\$18.00
Application – Review decision under Weapons Control Act – Section 18	N/A	\$11.00
B709 Applications – all types	Specified	\$53.00
Duplicate Firearm Licence	N/A	\$16.00
Duplicate Permit	N/A	\$16.00
Duplicate Registration Certificate	N/A	\$16.00
Lodging Notice of appeal with Firearms Appeal Tribunal	N/A	\$53.00

QLD

1	Application, under section 13 of the Act, for a licence	\$88.25
2	Licence, or renewal of licence under section 18(2)(c) of the Act, for each year—	
	(a) armourer's licence	\$84.50
	(b) blank-fire firearms licence	\$13.40
	(c) collector's licence (heirloom)	\$13.40
	(d) collector's licence (weapons)	\$13.40
	(e) concealable firearms licence—	
	(i) for a pistol club member	\$20.20
	(ii) for anyone else	\$50.65
	(f) dealer's licence—	
	(i) for a licence that includes only category A, B or M weapons	\$169.50
	(ii) for a licence that includes only category C, D, E, H or R weapons	\$169.50
	(iii) for any other licence	\$338.90
	(g) firearms licence	\$29.15
	(h) firearms licence (instructor)	\$50.65
	(i) minor's licence	\$13.40
	(j) security licence (guard)	\$26.70
	(k) security licence (organisation)	\$338.90
	(l) theatrical ordnance supplier's licence	\$338.90
	(m) miscellaneous weapons licence	\$12.70
3	Application for approval under section 21 of the Act to transfer a transferable licence	\$169.50
4	Application, under section 23(2) of the Act, for replacement licence	\$33.65
5	Application, under section 40 of the Act, for permit to acquire	\$33.35
6	Application, under section 80(1) of the Act, for approval to conduct an arms fair	\$169.50
7	Application, under section 86 of the Act, for shooting club permit, for each year	\$50.65
8	Application, under section 94(1)(a) of the Act, for an amendment of conditions applying to a shooting club permit	\$33.65
9	Application, under section 99 of the Act, for approval of a range for weapons target shooting	\$254.10
10	Application, under section 104(1)(a) of the Act, for an amendment of conditions applying to an approval of a range for weapons target shooting—	
	(a) for an amendment that allows alteration of the actual firing range, or butts of the firing line, in a material way	\$254.10
	(b) for any other amendment	\$33.65
11	Application, under section 111 of the Act, for approval to conduct a shooting gallery, for each year	\$254.10
12	Visitor's licence under section 11.	\$42.25
13	Application, under section 61A(2), for a decision mentioned in that section	\$84.50
14	Application, under section 66, for an exemption under section 2(1)(m) of the Act	\$67.45

SA

Application for firearms licence or renewal	1 year term: \$76.00 3 year term: \$199.00 5 year term: \$316.00
Application for firearms collector's licence or renewal	1 year term: \$76.00 3 year term: \$199.00 5 year term: \$316.00
Application for firearms licence to possess a prescribed firearm	\$61.00
Application for/renewal of firearms dealer's licence authorising dealing in firearms or firearms and ammunition	1 year term: \$394.00 3 year term: \$1,147.00 5 year term: \$1,904.00
Application for/renewal of firearms dealer's licence authorising dealing in ammunition only	1 year term: \$116.00 3 year term: \$316.00 5 year term: \$518.00
Application for variation of licence	\$46.00
Application for registration of firearm or duplicate certificate of registration	\$29.00
Application for licence to replace licence lost, stolen, or destroyed	\$46.00
Application for ammunition permit	\$29.00
Fee to witness the transfer of a firearm under Part 3 Division 2A of the Act	\$21.00
	This fee is subject to GST
Administrative fee on late renewal of a licence	\$31.00
Exempt person declaration- Dangerous articles and prohibited weapons	\$45.00

TAS

1. Licences

a) Application for firearms licence	
(i) Category A, B and H	
- 5 years	\$102.20
- 3 years	\$73.00
(ii) Category A, B and H (concession)	
- 5 years	\$81.76
- 3 years	\$58.40
(ii) Category C	
- 5 years	\$102.20
- 3 years	\$73.00
(ii) Category C (fee for concession holder)	
- 5 years	\$81.76
- 3 years	\$58.40
(iii) Category C - 12 months or less	\$29.20
(iii) Category C - 12 months or less (concession)	\$23.36
(iv) Category D	\$29.20
(iv) Category D (concession)	\$23.36
b) Application for firearms dealers licence	\$438.00
b) Application for firearms dealers licence (concession)	\$350.40
c) Application for firearms museum licence	\$146.00
c) Application for firearms museum licence (concession)	\$116.80
d) Application for firearms heirloom licence	\$29.20
d) Application for firearms heirloom licence (concession)	\$23.36
e) Issue of replacement licence	\$8.76
e) Issue of replacement licence (concession)	\$7.00

2. Permits

Application for permit (other than minors permit)	\$14.60
Application for permit (other than minors permit) (concession)	\$11.68
Application for minor's permit	\$21.90
Application for minor's permit (concession)	\$17.52
Issue of replacement permit	\$14.60
Issue of replacement permit (concession)	\$11.68

3. Registrations

a) Application for registration of firearms by non-dealer	
(i) one firearm	\$14.60
(i) one firearm (concession)	\$11.68
(ii) each additional firearm	\$7.30
(ii) each additional firearm (concession)	\$5.84
b) Application for registration of firearm by firearms dealer, each firearm	\$7.30
b) Application for registration of firearm by firearms dealer, each firearm (concession)	\$5.84

4. Approvals

Application for approval of:

a) shooting gallery	\$73.00
a) shooting gallery (concession)	\$58.40
b) rifle club	\$73.00
b) rifle club (concession)	\$58.40
c) pistol shooting club	\$73.00
c) pistol shooting club (concession)	\$58.40
d) range	\$73.00
d) range (concession)	\$58.40

5. Agent fees

a) Acting as agent in the purchase or sale of firearm between licensees, maximum of:	\$14.60
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VICTORIA POLICE

Firearms Licence and Permit Fees

Fee Unit Value 2013-2014 = \$12.84

Effective 1st July 2013

Licence Category	Duration	Natural Person	Body Corporate
Longarm Category A	5 Years	\$210.60	\$381.30
Longarm Category B	5 Years	\$243.30	\$381.30
Paintball Marker Licence	5 Years	\$210.60	\$381.30
Longarm Category C	3 Years	\$146.00	\$228.80
Longarm Category D	3 Years	\$228.80	\$367.10
Longarm Category E	3 Years	\$228.80	\$367.10
Handgun - Sporting/prescribed reason	3 Years	\$177.60	N/A
Handgun - Sporting/prescribed reason (<=20 guns)	3 Years	N/A	\$461.90
Handgun - Sporting/prescribed reason (>20 guns)	3 Years	N/A	\$919.90
Handgun - Security guard/prison guard/official	3 Years	\$276.20	N/A
Handgun - Security, prison etc(<=20 guns)	3 Years	N/A	\$461.90
Handgun - Security, prison etc(>20 guns)	3 Years	N/A	\$919.90
Handgun Category E	3 Years	\$268.50	\$406.40
Handgun - Possessing a handgun on behalf of a Junior	3 Years	\$177.60	\$446.10
Handgun - Provisional Handgun Licence	6 Months	\$49.30	N/A
Handgun - Provisional Handgun Licence	12 Months	\$98.60	N/A
Junior Licence	3 Years	\$47.40	N/A
Category 1 Firearms Collector	5 Years	\$308.80	\$611.80
Category 2 Firearms Collector	5 Years	\$368.50	\$466.70
Firearms Ammunition Collectors Licence	5 Years	\$150.90	\$308.80
Antique Handgun Collectors Licence	5 Years	\$308.80	\$611.80
Firearms Heirlooms Licence	5 Years	\$150.90	N/A
Firearms Dealer Cat A, B Longarms, General Cat Handguns	3 Years	\$1,152.90	\$1,610.50
Firearms Dealer Cat A to E Longarms, General Cat and Cat E Handguns	3 Years	\$1,610.50	\$1,843.60
Firearms Dealers Licence - (a) repairing Category A to E Longarms, General Category and Category E Handguns, (b) only selling Ammunition, (c) activities referred in both (a) and (b)	3 Years	\$691.00	\$919.90
Permit Types	Fee		
Issue a Duplicate Licence	\$23.10		
Permit to Acquire a Longarm	\$9.20		
Permit to Acquire a Paintball Marker	\$9.20		
Permit to Acquire a Handgun	\$46.10		
Handgun security guard licence to possess, carry or use restricted ammunition	\$76.30		
Display or theatrical armourer's permit	\$46.10		
Permit to display firearms or ammunition collections	\$30.20		
Permit to carry or use firearms held under a collectors licence	\$38.30		
Permit to display firearms or ammunition collections - Approved Firearm Collector Clubs	\$30.20		
Permit to carry or use firearms held under a collectors licence - Approved Firearms Collector Clubs	\$30.20		
Silencer/prescribed item permit	\$76.30		
Approval Types	Fee		
Approval for Handgun target shooting club	\$167.20		
Approval for Firearms collectors club	\$167.20		

*The holder of a category B licence is authorised to use category A longarms for the reason for which the category B licence was issued.