



VICTORIA POLICE

LICENSING & REGULATION DIVISION QUICK GUIDE



HANDGUN TARGET SHOOTING: Participation Conditions

Handgun target shooting is a sport of skill and precision that is enjoyed by many people around the world. The popularity of this sport in Australia can be evidenced by recent successes at Commonwealth and Olympic Games.

The Firearms Act 1996 (the Act) requires handgun target shooters to be licensed in Victoria, and as a condition of that licence attend a minimum amount of target shooting events each calendar year. These participation requirements are the minimum standard for determining whether a handgun target shooter has an ongoing genuine reason for his/her licence.

The following guide has been published by the Licensing & Regulation Division of Victoria Police. It incorporates amendments to the Act to come into effect during 2012. The guide has been prepared to assist licence holders to determine their participation obligations and answer frequently asked questions in this area. Please note that this guide does not apply to paintball activities or paintball markers.

Exceptions

The participation requirements do not apply to the following:

- Junior handgun licence holders;
- Holders of a licence to possess or carry a handgun on behalf of a junior for target shooting purposes;
- Holders of a General Category Handgun licence with a genuine reason other than handgun target shooting;
- Handgun target shooters who do not own any handguns under the licence.

APPROVED MATCHES AND SHOOT

Licence holders can meet this part of their licence obligations by participating in a defined number of approved matches or approved shoots. These 'events' are defined in the Act as follows:

Match

A competitive target shooting match that is approved by the Chief Commissioner, organised by an approved handgun target shooting club and takes place at an approved shooting range. The Chief Commissioner must be satisfied that the matches will be conducted at an approved shooting range by an approved club. The classes of matches that have been approved are published in the Government Gazette from time to time. For a full list of approved matches go to www.police.vic.gov.au/firearms.



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Shoot

A shoot conducted for the purposes of preparation for participation in an approved handgun target shooting match, organised by an approved handgun target shooting club, and conducted on an approved shooting range.

APPROVED RANGES AND CLUBS

Ranges

An approved range is a site in Victoria or its immediate surrounds that has been inspected by Victoria Police and approved by the Chief Commissioner's delegate as a venue that is safe to conduct certain target shooting events (approved matches or shoots). Only participation undertaken at an approved range can be recognised.

Please note that handgun target shoots and matches conducted in another State or Territory or overseas can be recognised for the purposes of meeting the participation requirements in Victoria. A participant in a target shoot or match conducted interstate or overseas must provide evidence of that participation, together with the details of each handgun used, to their principal club. Recognition is subject to approval of the Licensing & Regulation Division .

Clubs

Handgun Target Shooting clubs are approved by the Chief Commissioner because of the number of roles and responsibilities they perform under the Act. These legislated roles and responsibilities include (but are not limited to):

- Keeping accurate and legible participation records in accordance with the Act, and, making such records as soon as reasonably practicable after an event;
 - Notifying Licensing & Regulation Division within 7 days of the details of persons who have surrendered their club membership or have had their membership suspended or cancelled;
 - Reporting the names of any club member that the club believes is not a fit and proper person to possess, carry or use a handgun to the Licensing & Regulation Division ;
 - Ensuring that prohibited persons are not admitted as members of the club;
 - Ensuring that persons with a suspended or cancelled licence do not take part in handgun target shooting matches conducted by the club;
 - Reporting the annual participation details of members who have nominated that club as their principal club. This report needs to be completed in the Regulated format and submitted to the Licensing & Regulation Division by 31 March each year;
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- Nominating officers of the club who will be responsible for carrying out these functions, and notifying Licensing & Regulation Division of any changes; and
- Endorsing members' applications for a General Category Handgun or Provisional Handgun Licence or Permit to Acquire.

SPECIFIED CLASSES OF GENERAL CATEGORY HANDGUNS

The Act divides the types of handguns that are used for handgun target shooting into 4 categories or 'classes'. These classes are important because the amount of participation that a licence holder is obliged to complete is solely determined by the number of classes of handguns that are 'owned' by that person – not the actual quantity of handguns owned. The classes prescribed in Schedule 9 to the Firearms Regulations 2008 are as follows:

1. Air handgun
2. Rimfire handgun
3. Centrefire handgun with a calibre of .38 inch or less or a black powder handgun
4. Centrefire handgun with a calibre of more than .38 inch but not more than .45 inch

HANDGUN PARTICIPATION REQUIREMENTS

Handgun Participation Table

The below table summarises the participation conditions to take effect from 1 January 2012:

Number of handgun classes owned	Minimum number of shooting events in which the owner must participate each year
0	0
1	10
2	12
3	14
4	16

Within the above requirements, handgun owners must ensure that the following requirements are met:

- 6 of these events must be matches;
- 6 of these events must be as a competitor;
- 4 events for each class of handguns owned (matches or shoots); and
- Participation must take place on no less than 10 separate days.



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PARTICIPATION REQUIREMENTS EXPLAINED

Example 1

Tony is a handgun target shooter and owns 3 Rimfire handguns. No other handguns are owned by Tony.

As Tony is deemed to have only 1 class of handgun, he is required to participate in 10 events on no less than 10 separate days. Tony must ensure that at least 6 of these events are matches (of any class). Tony must also ensure that 4 events (whether matches or shoots) are Rimfire handgun related.

Example 2

Kate is a keen handgun target shooter and owns 3 Centrefire handguns, 3 Air handguns and 5 Rimfire handguns.

Kate is deemed to have 3 classes of handguns, therefore she is required to participate in a total of 14 events overall on no less than 10 separate days. These 14 events must comprise of at least 6 matches (of any class). As part of these 14 events, Kate must also ensure that she participates in a minimum of 4 events for each class of handgun that she owns (comprising of either matches, shoots, or a combination of both).

These are just some possible combinations that Kate may elect to adopt to meet her participation requirements (there are numerous others):

Combination 1

- 4 matches for class 1;
- 4 matches for class 2;
- 4 matches for class 3; and
- 2 shoots for class 3.

Combination 2

- 2 matches for class 1;
- 2 shoots for class 1;
- 2 matches for class 2;
- 3 shoots for class 2;
- 2 matches for class 3; and
- 3 shoots for class 3.

Combination 3

- 5 matches for class 1;
- 1 match for class 4;
- 4 shoots for class 2; and
- 4 shoots for class 3.

With each of these combinations, Kate would have ensured that she has participated in:

***6 matches
4 events per class
14 events overall***



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SPECIAL ARRANGEMENTS FOR CLUB OFFICERS AND SAFETY COURSE INSTRUCTORS

Special arrangements apply to licence holders who participate in shooting competitions as a referee, supervisor, competition judge or range officer. They must complete 6 of the matches and shoots as a competitor, however they can meet their remaining participation requirements in their official capacity.

Safety course instructors are deemed to have competed in an approved handgun target shooting match for each safety course they conduct of a class approved by the Chief Commissioner.

WHAT IF I CANNOT MEET THE ANNUAL PARTICIPATION REQUIREMENTS?

The Act recognises that there may be legitimate reasons why persons may not be able to meet their participation condition and accommodates these situations by providing the Chief Commissioner with the discretion to modify or exempt the licence holder from the participation condition. The circumstances where this discretion can be applied are set out below.

The Chief Commissioner has discretion to exempt participation for a period greater than 1 month but less than 12 months if:

- The person has a temporary physical incapacity that will result in the person not meeting annual participation and they can provide a current medical certificate from their treating doctor to show how the medical condition will preclude the licence holder from undertaking handgun matches or shoots and the duration of that incapacity. The medical condition must relate to the licence holder.
- The person will be absent from the state for a substantial period of time that will result in the person not meeting annual participation and can provide proof of absence from Victoria (such as a copy of a travel itinerary).
- For any other reasonable reason that will impact on the person's ability to meet the annual participation requirement and that reason can be supported by providing sufficient information and documentation to satisfy the Chief Commissioner that they are unable to comply.

Please Note: Persons who have been granted an exemption from the Chief Commissioner may be required to store handguns with a licensed firearm dealer or another licence holder for the duration of the exemption.



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The Chief Commissioner also has discretion to modify or 'vary' the participation for a calendar year if:

- The person is unable to participate in matches or shoots for reasons outside their control; or
- The person is unable to complete any such match or shoot which they were participating in and where the person officiating reasonably believed that they attempted to complete their participation; that is to say that the licence holder has made all reasonable attempts to arrive at an approved range and something has occurred outside of their control.

Key points

- Applications for modification or exemption can be downloaded at www.police.vic.gov.au/firearms and should be submitted within 2 weeks of the licence holder becoming aware that they will not meet their requirements. Applications submitted the following year will not be accepted.
- As a general rule, applications for exemption on medical grounds must relate to the licence holder. Should there be any other medical reasons (i.e. illness of family members), these will be considered on a case by case basis.
- Applications for other exemptions will be assessed on a case by case basis, and only accepted if the reason is outside of the licence holder's control and evidence is attached of their attempts to find alternative clubs to participate at.
- If an application is approved, the licence holder will be advised of their varied participation requirements for the remainder of that year.
- Prolonged absences from the State or medical conditions may necessitate a review of the licence under the normal residency and fit and proper provisions. This will be assessed on a case by case basis.

WHAT HAPPENS IF I FAIL TO MEET THE PARTICIPATION REQUIREMENTS?

The annual participation requirements are designed to ensure that owners of handguns for target shooting purposes continue to have a genuine reason for retaining their licence. As such, Licensing & Regulation Division is obliged to take certain actions in accordance with legislation if persons cannot demonstrate an ongoing reason for their licence by virtue of their failure to meet their minimum annual participation requirement.

Upon identification of a failure to meet the annual requirements, Licensing & Regulation Division will undertake the following enforcement actions:



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- In the event that a licence holder owns handguns and has not met the bare minimum participation condition to retain the licence (i.e. has not participated in at least 10 matches or shoots over 10 days of any class, 6 of which as a competitor), the Licensing & Regulation Division is obliged to cancel the licence subject to any appeals. The period of cancellation will be 12 months, unless a lesser term is specified.
- In the event that a licence holder has met the bare minimum conditions to retain their licence as described above but has not met the requirements for a particular class or classes of handgun owned (i.e. 4 matches or shoots for each class), the Licensing & Regulation Division has discretion to either:
 - ◇ Issue a warning notice; or
 - ◇ Vary a licence condition that will require the surrender of any handgun or ammunition for which the failure has taken place and impose a condition that a handgun of that class must not be possessed, carried or used for the duration of the variation. For a first occasion of failure, the Act requires that the variation must be for a period of 3 months.
A period of up to 12 months (but no less than 3 months) must be imposed for subsequent failures; or
 - ◇ Proceed to cancel the licence for a period of 12 months irrespective of the above options.

CONTROLLED HANDGUNS

It is an offence to possess, carry or use certain handguns for the purposes of handgun target shooting without the express authorisation of the Chief Commissioner. These types of handguns are often referred to as 'controlled handguns'. Handguns that have a magazine with a capacity of more than 10 rounds are banned for target shooting purposes and the Chief Commissioner cannot give authorisation for these under any circumstances.

The other three types of controlled handguns where authorisation can be granted are:

- In the case of a semi-automatic handgun, a handgun that has a barrel length of less than 120mm;
 - In the case of a revolver or single shot handgun, a handgun that has a barrel length of less than 100mm; and
 - Any handgun that has a calibre of more than .38 inch.
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For existing holders of a general category handgun licence, an authorisation is not required in the following circumstances only:

- For the purposes of determining whether or not to purchase the handgun or apply for an authorisation at an approved shooting range;
- For the purposes of instructing another person in the use of the handgun;
- As a result of a malfunction of another handgun being used by that person in that match at an approved shooting range; and
- For the purposes of storing that handgun where they already have an authorisation for that class of handgun.

Licence holders can apply for an authorisation to possess, carry or use a controlled handgun through the Permit to Acquire process but must have their application endorsed by a handgun target shooting club confirming that the handgun is required for participation in an appropriate match approved by the Chief Commissioner.

Please Note: Black Powder handguns are not controlled handguns. A black powder handgun means a handgun that uses black powder to propel a projectile and is not capable of being loaded with or discharging breech-loaded metallic cartridges.

A SUMMARY OF LICENCE HOLDERS RESPONSIBILITIES

Handgun target shooters have responsibility for:

- Being aware of, and complying with their participation obligations.
 - Complying with the conditions on their licence more generally in respect to carriage, safekeeping, etc.;
 - Being aware of the calendar of events at their clubs and ensuring there is sufficient time to meet their requirements allowing for unforeseen circumstances;
 - Continuing to be a member of an approved handgun target shooting club;
 - Nominating a principal club to Licensing & Regulation Division if they are a member of more than 1 handgun target shooting club for reporting purposes;
 - Passing records of participation at other approved clubs (including participation conducted at interstate clubs) to their principal club for reporting purposes;
 - Maintaining their own records of their participation for verification purposes; and
 - Notifying Licensing & Regulation Division at the earliest opportunity of any request to have their participation requirement modified or exempted.
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THE CHIEF COMMISSIONER'S RESPONSIBILITIES

The responsibilities of the Chief Commissioner's Delegate include:

- Approving clubs and ranges;
- Approving the types of matches and publishing their approval in the Government Gazette;
- Taking appropriate action when a licence holder fails to meet their participation conditions;
- Notifying each club as soon as practicable where a member of that club has had their licence cancelled, suspended or subsequently reinstated;
- Ensuring that only genuine target shooters are granted a licence.
- Ensuring that approved clubs comply with their recording and reporting obligations specified under the Act; and
- Publishing an annual report to the Minister by 30 June in regards to handgun participation.

FREQUENTLY ASKED QUESTIONS

Do I have to demonstrate that I participate with each handgun I own?

No, however you must continue to demonstrate a genuine need for each handgun and meet your annual participation requirements for each class of handgun owned.

Can I participate in multiple events (matches or shoots) on the one day?

Yes, however it will only be counted as an attendance for 1 day out of the total days that you must attend. Participation in multiple classes will be recognised.

What happens if my match or shoot takes place on more than one day?

The Act clarifies that an approved handgun target shooting match or a handgun target shoot that takes place on more than one day is to be taken to be, for each day on which the match or shoot takes place, a separate match or shoot. For example, if you attend one match that is conducted over 2 days, this is counted as two separate matches over 2 separate days.

What happens if I hold my licence or own a class of handgun for less than a year?

If a licence holder holds the licence for less than a calendar year or owns a class of handgun for less than a calendar year, then participation is applied proportionately. The Act applies a formula based on whole calendar months, for that year, after rounding down to the nearest whole number of such matches and shoots.



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Will my participation in events conducted interstate or overseas be recognised?

Yes. Participation conducted in another State, Territory or overseas will be recognised subject to the approval of Licensing & Regulation Division. Participation in a target shoot or match conducted in another State, Territory or overseas must be evidenced with details of each handgun used to the licence holder's principal club. This will be reported to Licensing & Regulation Division by March the following year as per the normal reporting process.

Do Provisional general category handgun licence holders have a minimum participation requirement?

Yes. During the term of the licence (no less than 6 months and no more than 12 months), a Provisional General Category Handgun Licence holder must have safely participated in at least 5 approved target shooting matches before an application for a General Category Handgun Licence can be endorsed by a nominated officer of an approved handgun target shooting club.

Can I carry and use controlled handguns under a Provisional Licence?

Yes, but only for the purpose to make a decision as to whether in the course of applying for a full licence, to purchase the handgun and seek authorisation off the Chief Commissioner. You cannot own handguns of any type under a Provisional Licence.

What is the situation with temporary visitors to Victoria?

Interstate visitors to Victoria who are holders of a corresponding handgun target shooting licence may take part in a shooting competition conducted by an approved club or organisation. The Act has recently been amended to include officials who hold the position of instructor, referee, supervisor, competition judge or range officer. Overseas visitors may also participate in competitions provided that they have been issued with the appropriate Visitors Permit.

Will I be able to re-enter the sport if my licence is cancelled?

Yes. Upon completion of the cancellation period, you will need to apply for a Provisional Licence and satisfy the requirements for such a licence (i.e. complete a handgun safety course, hold the licence for at least 6 months but not less than 12 months and participate in at least 5 approved matches) before applying for a new General Category Handgun Licence.



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FURTHER INFORMATION

Please contact your local approved handgun target shooting club or Licensing & Regulation Division, Victoria Police:

Phone: 1300 651 645

Mail: GPO Box 2807, MELBOURNE VIC 3001

E-mail: licensingregulation@police.vic.gov.au