



# Submission cover sheet

## Inquiry into Legislation on proposed firearms reform

Submission number: 069.1

Submitter: Shooters Association of Australia Inc.

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SSAA ACT Inc.

# Submission

## Standing Committee on Legal Affairs

### Firearms (Firearm Prohibition Order) Amendment Bill 2026



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SSAA ACT Inc. Executive Committee

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## Section 1. Executive Summary

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The Sporting Shooters Association of Australia ACT Inc appreciates the opportunity to make a submission to the Inquiry into the *Firearms (Firearm Prohibition Order) Amendment Bill 2026*.

SSAA ACT Inc. recognises the Government's objective of preventing firearm-related crime and supports measures that are targeted, evidence-based and consistent with fundamental principles of procedural fairness and proportionality.

However, we hold concerns regarding several aspects of the Bill, particularly in relation to cost, court resourcing, evidentiary thresholds, procedural fairness and operational consequences for firearms licence holders, clubs, ranges and businesses.

### Caveat

For the avoidance of doubt, this submission does not seek to comment on, nor diminish the appropriateness of, Firearms Prohibition Orders being applied to convicted or serious offenders where there is a clear, demonstrable link between the individual and a genuine risk to public safety. SSAA ACT Inc. acknowledges that, in such circumstances, targeted orders may be both necessary and appropriate. Rather, this submission is confined to identifying potential unintended consequences of the proposed framework for lawful firearms licence holders and the broader ACT community, particularly where individuals may have current or historical associations with a person subject to an FPO, or where a licence holder themselves may become subject to an FPO based on assumptions, beliefs, or untested intelligence rather than proven offending. Our concerns raised relate to procedural fairness, proportionality, and the downstream impacts on law abiding members of the community.

## Section 2. Resourcing and Cost Implications for ACT Policing

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Evidence provided during recent public hearings indicates that ACT Policing does not have in-house legal counsel. As a consequence, all applications for FPO's, variations, interim orders, renewals and any associated appeals will necessarily require the engagement of external legal services.

SSAA ACT Inc. is concerned that the Bill does not appear to acknowledge or account for the potentially significant and ongoing cost that will arise from this reliance on external lawyers. These costs may be substantial and enduring. Particularly given the administrative complexity introduced by interim orders, amendments and review processes. The financial and operational burden on ACT Policing should be clearly identified and transparently addressed.

This also risks the diversion of resources from other high-risk compliance and enforcement activities required, that could substantially impact on public safety outcomes.

## Section 3. Impact on Magistrates Court

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The timeframes imposed by the Bill have the potential to place additional strain on the ACT Magistrates Court, which is already under recognised pressure.

Of particular concern is the ability for interim FPO's to be granted rapidly and without the respondent being present, or even aware that an application has been made. This creates a real risk that individuals may be subjected to significant restrictions and adverse consequences on the basis of presumptions of unlawful behaviour, rather than findings established by a court through due process.

In addition, the Bill is likely to result in an increased number of court appearances arising from applications to revoke, vary, suspend or cancel an FPO, as well as appeals against the making or continuation of an order. Each of



these processes necessarily requires judicial consideration and listing before the Magistrates Court. Taken together with interim orders and review mechanisms, this is expected to materially increase the volume of hearings, further exacerbating existing pressures on court resources and potentially extending delays in both FPO-related matters and completely unrelated proceedings.

## Section 4. Evidentiary Thresholds and Presumptive Behaviour

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SSAA ACT Inc. is concerned that FPO's may be issued or applied for on the basis that a person is believed to be capable of illegally procuring a firearm, including where it is alleged they may have done so previously, without such behaviour being confirmed or proven in court.

The application for order based on belief, suspicion or untested assertions, rather than evidence established through a prosecution, raises concerns about fairness and proportionality. There is also a risk that applications could be based on information from potentially unreliable witnesses with ulterior motives. This is of concern given the person is not provided with a right of reply or representation at the *ex parte* hearing for an interim order.

## Section 5. Service of Notices and Awareness of Orders

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The Bill provides that ineffective service of an FPO is not a reasonable defence to a person being unaware of the order and breaching a condition of the order.

This is of particular concern given evidence presented at public hearings demonstrating that service of documents by ACT Policing has, in some cases, been significantly delayed due to resourcing constraints with the applicable section of ACT Policing.

SSAA ACT Inc. questions the fairness of exposing individuals to criminal liability where systemic delays may mean they are genuinely unaware that an order exists.

## Section 6. Interim Orders and Procedural Fairness

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Under the Bill, interim FPO's must be made in private, and not in the presence of the respondent, their legal representative, or any other interested party, including associates or other residents.

This process effectively denies the respondent any right of reply prior to an order being made and fails to provide procedural fairness at a critical state. Orders with substantial personal and legal consequences can therefore be imposed without the affected person having the opportunity to contest the allegations or present relevant information.

For licence holders this is of particular importance as interim orders, even when not converted to final orders can be considered in the licensing or permit to acquire processes.

## Section 7. Warrantless Searches and Scope of Residences

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SSAA ACT Inc. is concerned that the Bill appears to enable enforcement action that would ordinarily require a warrant, including the entry and search of premises, based solely on a person being subject to an FPO.

The definition of "residence" is particularly broad, encompassing any place where the person has lived for seven days (consecutive or not) within a twelve month period, with no constraint on when that twelve month period occurred and no consideration about current association with the residents of that residence.



This has potential consequences for firearms licence holders who may reside with, or have previously resided with, a person now subject to an FPO. While the Bill does not appear to require licence holders to surrender their firearms in circumstances where they no longer permanently reside with the person, warrantless searches of such residences appear to be in scope. This raises significant privacy, property and fairness concerns for law abiding individuals.

In addition, the definition of “residence” also includes any premises that are owned, leased or occupied by the person. In the case of a person potentially owning but not being the current occupier of the premises, this risks people who have no association with the person being subject to warrantless searches. For instance, the person might own a residential or commercial property that they lease out to people who would now be subject to these searches and have their addresses associated with an FPO.

Relatedly, SSAA ACT Inc. holds strong concerns about provisions enabling entry to premises without a warrant solely because an individual subject to an FPO has an association with that location. The erosion of traditional warrant safeguards is a serious matter that should not be undertaken lightly or without strict limitation.

## Section 8. Lack of Notification to Workplaces and Ranges

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The bill does not provide any mechanism for a workplace to be notified that a person is subject to an FPO.

This omission is particularly problematic in the context of shooting ranges and clubs, where firearms are in use. Without an appropriate notification mechanism, range operators may be unknowingly exposed to safety risks and regulatory complications.

## Section 9. Prohibited Premises and Third Party Awareness

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There are also no requirements for firearms clubs, ranges or firearms businesses to be informed when a person is subject to an FPO, even where those premises are prohibited to that individual.

While it is acknowledged that the Bill does not appear to impose liability on these entities if a person subject to an FPO enters or remains on the premises, SSAA ACT Inc. notes that:

- There is a potential risk to safety where staff and volunteers are unaware of restrictions applying to individuals, and
- These organisations are unable to assist enforcement agencies by providing information if they are unaware that an individual is subject to an FPO.

## Section 10. Conclusion

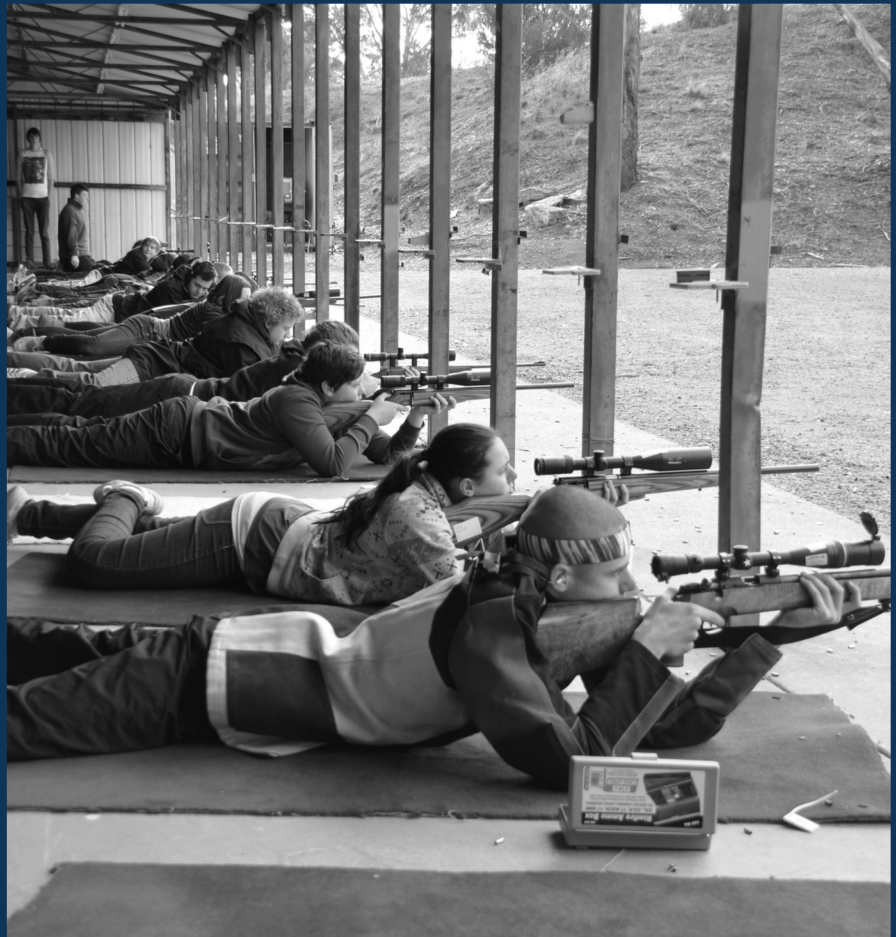
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SSAA ACT Inc. supports targeted and effective measures to address firearm related crime. However, the *Firearms (Firearm Prohibition Order) Amendment Bill 2026*, as drafted, raises substantial concerns regarding cost, court and policing resources, evidentiary standards, procedural fairness and unintended consequences to lawful firearms users and businesses.

We submit that these issues warrant careful reconsideration to ensure that any FPO regime implemented in the ACT is fair, proportionate, effective and consistent with fundamental legal principles.



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