



Submission cover sheet

Inquiry into Legislation on proposed firearms reform

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Submitter: The Australia Institute

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Committee Secretary
Standing Committee on Legal Affairs

Dear Committee Secretary,

Thank you for the opportunity to make a submission to the Inquiry into Legislation on proposed firearms reform.

Our research is most relevant to the *Firearms (Public Safety) Amendment Bill 2026*, which is discussed in this submission, although we acknowledge that the inquiry is also examining the *Firearms (Firearm Prohibition Orders) Amendment Bill 2026*.

The *Firearms (Public Safety) Amendment Bill 2026* would amend the *Firearms Act 1996* (ACT) to limit the number of firearms that individuals can possess and use, as well as to recategorise types of firearms and further restrict belt-fed and 3D printed firearms.

These are welcome reforms, but they are not sufficient to address gaps in the ACT's gun control laws.

The caps on firearm ownership are slightly higher than in NSW, and the bill does not currently address other major issues, including the ACT's lack of compliance with the National Firearms Agreement and weak genuine reason requirements.

The Australia Institute has produced several research reports on Australia's gun control rules and their implementation. We attach three reports to this letter for the committee's consideration:

- Clarke, Gottschalk, Chollet and Grundy (2025) *Gun Control in Australia*
- Predavec and Campbell (2025) *Firearm theft in Australia*
- Predavec, Campbell and Grundy (2026) *The hole in Australia's gun laws*

Compliance with the National Firearms Agreement

The Australia Institute report, *Gun Control in Australia* (2025), found that no Australian State or Territory, including the ACT, fully complies with the National Firearms Agreement (NFA) signed in 1996 and reaffirmed in 2017.

The NFA calls for strict limits on the use of firearms to those with firearms licences, requiring licence-holders to be 18 years or over. In the ACT, individuals without firearms licences can use firearms at shooting ranges under some circumstances, and minors' firearms licences are available to those aged 12 and over. Additionally, the NFA requires the creation of a National Firearms Register (NFR). While work on an NFR commenced in 2023, nearly 25 years after it was first agreed to, it will not be operational until 2028 according to Home Affairs which is



responsible for the project. This bill does not address the shortcomings in ACT legislation in relation to the NFA or the NFR.

The Australia Institute report also recommended that all jurisdictions implement data transparency and consultation standards in line with the standard set by NSW. As it stands, the ACT is one of the least transparent jurisdictions in the country when it comes to firearms data, partly due to the paper-based system ACT's firearms registry still uses, making it incompatible with other states' systems. When the Institute made a Freedom of Information request for data on firearms theft for our 2025 report, the Australian Federal Police initially told us that "This data will be extremely hard to extract however and may not be possible". This bill would not address data transparency.

Recommendations:

1. Ensure the ACT is fully compliant with the National Firearms Agreement, including by abolishing unlicensed firearm use, minors' firearms licences and making ACT data compatible with the NFR.
2. Improve the ACT's data transparency and consultation standards on firearms by bringing them in line with NSW.

Limits on gun ownership

Our 2025 *Firearm theft in Australia* report found that over 44,500 guns have been stolen in Australia over the past two decades, including at least 302 in the ACT. The report identified compliance with safe storage requirements and limits on firearm ownership as two key issues that could help reduce the number of guns stolen in Australia.

While this bill does include limits on firearm ownership, there is room for improvement. The five-gun limit is slightly higher than the limit recently implemented in NSW, which entirely surrounds the ACT. For the sake of cross-border consistency, the ACT could mirror NSW's four-gun cap.

Additionally, while publicly framed as a five-gun limit with an exemption allowing ownership of ten guns, the reality is different. Only three genuine reasons, recreational hunting, heirloom ownership and paintball activity, are affected by the five-gun limit. Of these, only recreational hunting allows the purchase of firearms. But recreational hunting has very similar evidence requirements to sports shooting, which allows an individual to own up to ten guns. Both categories can be supported with membership in approved hunting or shooting clubs, respectively. This means many hunters who wish to avoid the lower five-gun limit could switch their genuine reason to sports shooting with relative ease to avoid the lower cap.

Recommendations:

3. Cap the number of firearms per licence at four, to bring it in line with NSW's legislation.

4. Consider reducing the number of genuine reasons that are automatically exempt from the lower cap, especially sports shooting, due to its similar evidence requirements to recreational hunting.

Genuine Reason requirements

Our recent report, *The hole in Australia's gun laws*, investigates issues with the genuine reason requirements used in firearms licence applications across all states and territories. Genuine reasons are a core part of the 1996 National Firearms Agreement, which all states and territories, including the ACT, are party to. The requirement is designed to prevent possession or use of a firearm for disallowed reasons, including personal protection or violence.



In particular, the report found severe shortcomings in the evidence requirements for sports shooting and recreational hunting. In the ACT, as well as five other jurisdictions, there is no formal requirement for evidence beyond financial membership in a sports shooting club to provide a genuine reason on a firearm licence. This means that, as advertised by some clubs, someone can fulfil the requirement to demonstrate a genuine reason “from the comfort of [their] own home” simply by filling in a short form.

NSW and WA both require proof of participation in sports shooting events for sports shooting firearm licences. While the ACT requires “active participation”, the meaning of this requirement and the mechanism for its enforcement are not specified in the legislation. While the ACT Policing website states that a sports shooting firearm licence applicant must provide evidence they are an “active member”, the specific evidence that a shooter must provide is not clear. The requirement also appears to only cover the application process, meaning it does not ensure licence-holders remain active participants after acquiring a firearm.

The situation is even worse for recreational hunting. A firearms licence applicant in the ACT can use either permission from a landholder or club membership as evidence of a genuine reason. Landholder permission is vulnerable to abuse. Before WA reformed its system in 2023, rural landowners sold “property letters” that gave people permission to shoot on a property for a profit. This effectively meant firearm licence applicants were able to buy their way to fulfilling the genuine reason requirement, many without ever setting foot on those properties.

The nature of these genuine reason requirements has real consequences. In NSW, the only jurisdiction that publishes comprehensive data on firearm licences, including breakdowns by genuine reason, there are over 200,000 more people who list sports shooting or recreational hunting on their firearms licence than actually participate in either activity according to data from the federal government’s Ausplay survey. Since NSW requires licence-holders to participate in a specified number of activities each year and the ACT does not, the discrepancy may be even greater in the ACT.

One potential reason that someone might hold a sports shooting or hunting firearms licence without actually carrying out either activity is having retired from active shooting. In such cases, the person no longer needs their firearm and can end their licence.

It would be ambitious to suggest retired shooters make up the entirety of the over 200,000 in NSW alone who have a firearm licence and do not participate in the shooting activity listed on their application. Another possibility is that some of these people have taken advantage of the ease of proving a genuine reason for a firearms licence, and some may never have intended to use it for that purpose in the first place. There are multiple tragic examples of cases where individuals have bypassed the genuine reason requirements in this manner, sometimes with fatal consequences as our report documents.

Recommendations:

5. Strengthen the evidence requirements for genuine reasons, including a requirement to participate in a specified number of activities each year, which would prevent ownership of firearms for reasons other than those stated in the National Firearms Agreement or on their licence application.
6. Consider abolishing recreational hunting as a genuine reason due to its weak evidence requirements. If the category is not abolished, strengthen the evidence required to bring hunting in line with other recreational shooting activities.

Canberrans expect their government to keep them safe from gun violence.

This *Firearms (Public Safety) Amendment Bill 2026* is a welcome step to strengthen the ACT's gun control laws. But there are more steps to take, among them full compliance with the NFA, stronger limits on gun ownership and stricter requirements for genuine reasons.

By taking those further steps, the Legislative Assembly has the opportunity to set a new Australian standard for

firearms regulation.

We would welcome the opportunity to discuss the findings of our research further.

Yours faithfully,

Skye Predavec
Researcher
The Australia Institute