

## Unlicensed person:- Who can, and can't handle a firearm in Queensland

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### WEAPONS ACT 1990 - SECT 53

#### An unlicensed person may use a weapon at an approved range

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(1) This section applies to a person—

(a) who is not a licensee; or

(b) who is a licensee but is not authorised to possess the weapon the person proposes to physically possess and use under this section.

(2) The person may physically possess and use a weapon at an approved range for the category of weapon if, immediately before possessing and using the weapon, the person—

(a) produces for the inspection of a range officer at the range photographic identification identifying the person; and

*Examples of photographic identification—*

• weapons licence

• driver licence

(b) completes and signs an approved form stating the following and gives the form to the range officer—

(i) the person's name, residential address and date of birth;

(ii) that the person is a licensee or is not an [excluded person](#);

(iii) the date and time the declaration is completed.

(3) Before allowing the person to physically possess and use a weapon at the approved range, the range officer must sign the approved form declaring that the range officer—

(a) inspected the person's photographic identification; and

(b) if the person states in the approved form that the person is a licensee, inspected the person's licence; and

(c) was satisfied—

(i) the person signing the approved form appeared to be the person shown in the photographic identification; and

(ii) after inspecting the completed approved form—

(A) that information in the completed approved form agreed with information shown on the photographic identification; and

(B) that the person is a licensee or, on the information contained in the approved form, is not an [excluded person](#).

*Penalty—*

Maximum penalty—20 penalty units.

(4) It is a condition of the approved shooting club's shooting club permit that the club must keep the approved form for 3 years after the approved form is signed.

(5) The range officer must ensure the person is supervised by the range officer or another range officer at all times when the person is in physical possession of the weapon.

*Penalty—*

Maximum penalty—20 penalty units.

(6) For *subsection (5)*, if the person is in physical possession of a category H weapon, the supervision of the person by a range officer must be direct, personal and exclusive

supervision by the range officer at all times when that person is in physical possession of the weapon.

**(7) In this section—**

**"excluded person" means a person—**

**(a) who has been convicted in Queensland or elsewhere of—**

**(i) murder or manslaughter; or**

**(ii) armed robbery; or**

**(iii) unlawful wounding; or**

**(iv) grievous bodily harm; or**

**(v) an offence involving drugs, weapons or violence prescribed under a regulation that is punishable by at least 7 years imprisonment; or**

**(b) who, in the 5 year period immediately before the day the person signs the approved form under this section, has been convicted of, or discharged from custody on sentence after the person has been convicted of, any of the following offences—**

**(i) an offence relating to the misuse of drugs.**

**(ii) an offence involving the use or threatened use of violence.**

**(iii) an offence involving the use, carriage, discharge, or possession of a weapon; or**

**(c) who, in the 5 year period immediately before the day the person signs the approved form under this section, has been subject to a domestic violence order, other than a temporary protection order; or**

**(d) who is subject to a temporary protection order, police protection notice or release conditions; or**

**(e) who is prevented by another order of a Queensland court or another court outside Queensland from holding a licence or possessing a weapon unless the order permits the person to possess or use a weapon under supervision; or**

**(f) who, in the 5 year period immediately before the day the person signs the approved form under this section, has been subject to an involuntary assessment order under the [Mental Health Act 2016](#) or a similar order under the repealed *Mental Health Act 2000* , or a similar order in another State; or**

**(g) who has been refused a licence, or whose licence has been revoked, in the 5 year period immediately before the day the person signs the approved form under this section because the person is not, or is no longer, a fit and proper person to hold a licence; or**

**(h) whose licence is suspended.**