



Australian Government

Department of Home Affairs

COMMONWEALTH FIREARMS

INFORMATION BOOKLET

Disclaimer

The information contained in this Booklet is intended to provide a broad overview of the Australian Government's approach to the regulation of firearms and the intent and purpose of the National Firearms Agreement.

As the management of firearms varies between jurisdictions, individuals should contact their local state and territory firearms registry to find out about the legislative requirements and specific arrangements that are relevant to them.

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Contact us

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Department of Home Affairs
PO Box 25
BELCONNEN ACT 2616

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Foreword



The Australian Government is committed to keeping Australia's firearms laws among the strongest in the world.

The Commonwealth and all state and territory governments have agreed to a national approach to the regulation of firearms, through signing the National Firearms Agreement. The Commonwealth and states and territories work closely together to regulate firearms and maintain the safety of all Australians by ensuring that only those with a genuine reason and a genuine need can access a firearm.

I have commissioned this Commonwealth Firearms Information Booklet to raise awareness on how firearms are managed in Australia. The Booklet articulates an overarching Statement of Principles that guides Australia's approach to the regulation of firearms. It also sets out the different roles and responsibilities of key government agencies and provides information on who to contact for further information.

The Australian Government will continue to work together with its state and territory counterparts and relevant stakeholders to ensure public safety and to deliver a consistent national approach to the efficient and effective management of firearms in Australia.

Jason Wood

Assistant Minister for Customs,
Community Safety and Multicultural Affairs

Statement of Principles

The Statement of Principles guides the Australian Government's approach to the management of firearms in Australia. These six key principles align with the Australian Government's commitment to the efficient and effective regulation of firearms, as outlined in the National Firearms Agreement.

- Possession and use of firearms is a privilege that is conditional on the overriding need to ensure community safety.
- Individuals must demonstrate a genuine reason and usually a genuine need for acquiring, possessing and using a firearm.
- Personal protection is not a genuine reason to possess a firearm.
- The Australian community expects that access to firearms is limited to fit and proper people and that relevant information must be readily available to those who are making decisions about whether people should have access to firearms.
- Ongoing consultation and cooperation between all Australian governments and relevant stakeholders is critical.
- All firearms decision-making policies and processes must be transparent and, where possible, consistent across the Commonwealth and state and territory governments.

The National Firearms Agreement

The National Firearms Agreement articulates a commitment by the Commonwealth, state and territory governments to a set of minimum standards for the regulation of firearms.

Under the Australian Constitution, the states and territories have primary responsibility for the management of firearms in Australia. The Commonwealth has responsibility for international and inter-state trafficking offences as well as the import and export of firearms and firearm-related articles.

Prior to 1996, there was no overarching framework promoting the consistent regulation of firearms between the states and territories. One consequence of the lack of a uniform approach to firearms management in Australia was that it provided an opportunity for firearms to be diverted to the illicit market. This diversion was facilitated by jurisdictional loopholes in legislation and regulation, lack of oversight, and low penalties that were applied to firearms offences. The lack of a uniform approach to firearms management also created ambiguity around what constituted firearms misuse.

Gun Safety

The Australian Government is committed to firearms safety.

This includes providing a robust gun control framework to keep Australians safe from gun-related violence by reducing the risk of death and harm from firearms in the community.

In addition to Australia's strong gun laws, the Australian Government supports a broad range of other measures including on-going research, reporting obligations, and education and awareness raising campaigns (particularly for at-risk and vulnerable people) to improve public health outcomes.

Following the tragic events at Port Arthur in April 1996, the Commonwealth and state and territory governments agreed to a national approach to the regulation of firearms, setting this out in what is known as the National Firearms Agreement. The National Firearms Agreement is not a set of laws – it is a commitment by all Australian governments to minimum requirements for the safe and responsible possession, carriage, use, registration, storage and transfer of firearms.

In 2015, a review of the 1996 National Firearms Agreement was recommended by the Joint New South Wales Commonwealth Review into the Martin Place Siege. Following this review, an updated National Firearms Agreement was agreed to by all Australian governments in February 2017.

The key aspects of the regulation of firearms are consistent across all jurisdictions. However, as the state and territory governments legislate separately, the management of firearms varies in some respects between jurisdictions. Inconsistencies between jurisdictions are an outcome of the sovereign rights of the state and territory governments to enact their own legislation.

In certain areas, some jurisdictions have chosen to impose stricter, or less strict, controls than those articulated in the Agreement.

The Commonwealth, state and territory governments, through the Firearms and Weapons Policy Working Group (see page 8 for further detail), are committed to the ongoing review of jurisdictional consistency and compliance with the National Firearms Agreement.

What the National Firearms Agreement does

The National Firearms Agreement constitutes a national approach to firearms and prescribes:

- restrictions on the importation of certain firearms, such as semi-automatic long arms;
- the requirement for the registration of all firearms;
- minimum requirements for firearms licences and permits, including genuine need and reason; fit and proper person; requirements, training, waiting periods and the length of licences;
- minimum standards that apply to licence refusal or cancellation and seizure of firearms;
- provisions for mutual recognition for visiting licensees;
- requirements on the secure storage of firearms and ammunition;
- conditions on firearms sales and the recording of firearms transactions by licensed firearms dealers; and
- requirements for the transport of firearms.

Genuine reasons and genuine needs

Under the National Firearms Agreement, an individual must demonstrate both a genuine reason for acquiring, possessing or using a firearm and a genuine need for a specific type of firearm (excluding Licence Category A firearms).

The acquisition of additional firearms is subject to the demonstration of genuine need, confirmation that the licensee has adequate storage arrangements in place, and specification of the shooting discipline for which the firearm is required.

The National Firearms Agreement provides that an individual must have a *genuine reason* for acquiring, possessing or using a firearm. These genuine reasons are:

- primary production;
- professional vertebrate pest control;
- competition target sport shooting and recreational hunting;
- government purposes;
- firearms dealers, repairers and manufacturers;
- film and theatrical armourers;
- heirloom owners;
- firearms collectors;

- security employees; and
- limited other business or occupational purposes.

Under the National Firearms Agreement, personal protection is not a genuine reason.

The National Firearms Agreement regulates which categories of firearms are permitted for acquisition, possession and use under each genuine reason.

Under the National Firearms Agreement, the following categories are used in the licensing of firearms:

Licence Category A

- Air rifles
- Rimfire rifles (excluding semi-automatic)
- Shotguns (other than semi-automatic, pump action or lever action)
- Rimfire rifle/shotgun combinations

Licence Category B

- Muzzle-loading firearms
- Single shot, double barrel and repeating centrefire rifles
- Centrefire rifle/shotgun combinations
- Lever action shotguns with a magazine capacity no greater than five rounds

Licence Category C

- Semi-automatic rimfire rifles with a magazine capacity no greater than 10 rounds
- Semi-automatic and pump action shotguns with a magazine capacity no greater than five rounds

Licence Category D

- Semi-automatic centrefire rifles designed or adapted for military purposes or a firearm which substantially duplicates those rifles in design, function or appearance
- Non-military style self-loading centrefire rifles
- Semi-automatic, pump action and lever action shotguns with a magazine capacity greater than five rounds
- Semi-automatic rimfire rifles with a magazine capacity greater than 10 rounds

Licence Category H

- All handguns, including blank fire pistols and air pistols

What the National Firearms Agreement doesn't do

The National Firearms Agreement is a non-binding inter-government agreement.

It remains up to the Commonwealth and each state and territory government to legislate for the regulation of firearms in their jurisdiction. Consequently, there are no legal implications for jurisdictions with legislation that is inconsistent with the National Firearms Agreement.

The National Firearms Agreement does not provide minimum requirements on every aspect of firearms regulation. Commonwealth and state and territory legislation is necessarily more detailed than the National Firearms Agreement.

Role and responsibilities of the Commonwealth and states and territory governments

Responsibility for firearms matters is shared between the Commonwealth and state and territory governments.

State and territory governments

The state and territory governments have primary responsibility for the management of firearms in Australia, including licensing, registration, possession, storage and use.

The relevant state or territory firearms registry should be the first point of contact for most questions around firearms.

State and territory police firearms registries also grant written permission for the importation of category A, B and H firearms and related articles.

Additionally, state and territory police are responsible for the majority of work on illicit firearms.

Australian Government

The Australian Government plays a key role in advocating for a consistent national approach to the regulation of firearms and for upholding the fundamental aspects of the National Firearms Agreement.

The Australian Government chairs inter-jurisdictional Firearms and Weapons Policy Working Group meetings on firearms and weapons matters. These meetings support the development of nationally consistent policy responses to firearms and weapons-related issues.

The Australian Government is responsible for matters relating to international and interstate trafficking and the import and export of firearms and firearm-related articles. Through its law enforcement agencies, the Australian Government also plays a major role in addressing the threats posed by the illegal importation, trafficking, manufacture and diversion of illicit firearms and parts.

AUSTRALIAN BORDER FORCE

The Australian Border Force enforces border controls for firearms and firearms-related articles and engages with industry on the importation and exportation of these goods.

The enforcement role includes detecting illicit firearms and firearm-related articles and their subsequent seizure and disposal. In addition to enforcement activities, the Australian Border Force also facilitates the legal movement of permitted goods, including the physical inspection of all firearms and the verification of serial numbers and ensuring firearms safety requirements are met.

The Australian Border Force also issues export permits under the Restricted Goods Scheme.

AUSTRALIAN CRIMINAL INTELLIGENCE COMMISSION

The Australian Criminal Intelligence Commission, through the Firearm Trafficking Special Operation, enhances a national understanding of the serious and organised crime dimensions of firearm trafficking.

The Australian Criminal Intelligence Commission is also responsible for developing and maintaining national firearm-related systems, including the National Firearms Identification Database, the Australian Ballistics Information Network and Australian Firearms Information Network.

AUSTRALIAN FEDERAL POLICE

The Australian Federal Police performs forensic examination of firearms, their parts and accessories for the purposes of classification, functional testing and provision of technical intelligence to the Department. The Australian Federal Police also provides technical advice to the Department of Home Affairs, the Australian Criminal Intelligence Commission and the Australian Border Force in relation to the identification and classification of firearms under the *Customs (Prohibited Imports) Regulations 1956*.

DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT

The Department of Agriculture, Water and the Environment provides national guidance and has established guidelines relating to the humane destruction of feral animals, livestock and Australian wildlife.

DEPARTMENT OF DEFENCE – DEFENCE EXPORT CONTROLS

Defence Export Controls is responsible for regulating the export and overseas brokering of firearms, ammunition, parts and accessories, as well as military items and dual use goods.

Australia's export control policies are in place to enable the export and overseas brokering of firearms, military and dual-use goods where it is consistent with Australia's national interests and international obligations.

DEPARTMENT OF HEALTH

The Department of Health supports participation in sport and physical activity by all Australians.

DEPARTMENT OF HOME AFFAIRS

The Department of Home Affairs is responsible for the administration of the Australian Government's overarching policy on firearms and firearm-related matters, and the administration of the importation scheme for highly controlled firearms and firearm-related articles under the *Customs (Prohibited Imports) Regulations 1956*.

The Department of Home Affairs also responds to legal and compensation claims matters related to the importation of firearms and firearm-related articles.

Through its intelligence capability, the Department leverages intelligence on border detections and from Commonwealth and state and territory law enforcement agencies. It provides thematic support to operational planning and targeting undertaken by the Australian Border Force.

Information sharing

The Commonwealth and the states and territory governments work closely together to ensure the national approach to the regulation of firearms is supported by national information-sharing systems. These systems are managed by the Australian Criminal Intelligence Commission on behalf of the Commonwealth and the state and territory governments.

Australian Firearms Information Network

The National Firearms Agreement mandates that jurisdictions record sufficient information to identify each legally held firearm in Australia, including details prescribed by the national information-sharing system.

The Australian Firearms Information Network provides this resource. It is a national viewing platform, available to state and territory law enforcement agencies, of current state and territory firearm licensing and registration records. The Australian Firearms Information Network is maintained by the Australian Criminal Intelligence Commission.

National Firearms Identification Database

The National Firearms Identification Database is the official standard for firearms identification across Australia. It is a reference tool that assists law enforcement to identify and record firearms in a nationally consistent manner. It assists police to identify firearms using details such as make, manufacturer, model, calibre and capacity.

Australia's illicit firearms market

The illicit market includes:

- 'grey market' firearms;
- firearms stolen from legitimate owners;
- firearms unlawfully diverted by firearm dealers;
- firearms illegally imported; and
- firearms illegally manufactured or reactivated.

The illicit market in Australia is generally considered to comprise two distinct markets: the grey market and the black market.

'Grey market' firearms are those firearms that were not handed in or registered after legislative changes were made to restrict access to firearms following the introduction of major firearms reforms in 1996.

These firearms were most likely possessed legally prior to the National Firearms Agreement and have remained in the community. Grey market firearms are generally not held for criminal purposes, but many have been identified as ending up in the black market.

'Black market' firearms are owned by people who use illicit firearms for criminal purposes such as intimidation, armed robbery or drive by shootings.

Firearms can be diverted to the black market by various means such as illegal importation, illegal manufacture and theft from licenced firearms owners.

Australian law enforcement agencies work closely together, and with the firearms community, to manage the legal firearms market to minimise the risk of diversion of these firearms into the illicit market.

There are significant state, territory and Commonwealth penalties for the illegal possession of firearms.

All Australian Governments recognise the risks associated with firearms in the community, and are committed to removing illicit firearms from circulation and tackling gun-related crime.

Frequently Asked Questions

NOTE: This information is general only and individuals should contact their local state or territory firearms registry to find out about the legislative requirements and specific arrangements that are in place in their jurisdiction.

Contact details for state and territory firearms registries are listed at pages 19 and 20.

1. How do I get a firearms licence?

Firearms licences and permits are administered under the relevant legislation of each state and territory. Applications for a firearms licence or permit must be made to the firearms registry in the state or territory in which the applicant resides or is located.

Most states and territories require a mandatory waiting period before a licence is issued. A licence is endorsed with both the category of firearms able to be possessed and the genuine reason for which the licensee may use their firearm/s.

A person making an application for a firearms licence must:

- demonstrate a genuine reason for a firearms licence;
- pass 'fit and proper person' checks (including mental health criteria and relevant police checks);
- prove identity;
- pass an appropriate safety training course;
- satisfy appropriate firearm storage requirements; and
- be over 18 years of age.

2. How do I acquire a firearm?

Under the National Firearms Agreement, a separate permit (referred to as a Permit to Acquire) is required for the acquisition of every firearm. You must apply for, and be issued with, a permit to purchase your firearm.

This allows state and territory police to undertake necessary checks on the licence holder and to ensure they are legally able (have a genuine need) to possess the firearm they want to acquire.

3. How do I import a firearm?

The requirements to import a firearm differ depending on its 'item number' under the *Customs (Prohibited Imports) Regulations 1956*. The item numbers in Schedule 6 generally align with the firearms categories in the National Firearms Agreement as set out below.

National Firearms Agreement	Schedule 6 of the Prohibited Imports Regulations	Import permission from
Category A	Item 1	State or territory firearms registry
Category B	Item 2	State or territory firearms registry
Category C	Item 3	Department of Home Affairs
Category D	Item 6	Department of Home Affairs
Category H	Item 9	State or territory firearms registry

Category A, B and H firearms and related articles

Category A, B and H firearms and related articles can generally be imported with permission from the relevant state or territory police firearms registry. Typically, the only requirement for the state and territory police firearms registry to allow the importation is that the importer is licensed and/or authorised in the relevant state or territory to possess the firearm they are seeking to import.

Import permission is required in addition to a current and valid licence and permit to acquire.

Category C and D firearms and related articles

The importation of Category C and D firearms is generally managed by the Department of Home Affairs under the *Customs (Prohibited Imports) Regulations 1956*.

In addition to being licensed and/or authorised to possess the firearm, there are requirements for specific firearms and conditions for importation under each of the import tests.

The Minister for Home Affairs or relevant delegate in the Department of Home Affairs may grant permission for the importation of firearms and firearm-related articles only if satisfied that the importer meets one of the tests that apply to the particular firearm or firearm related article. A list of the current import tests is at Appendix A.

The ability to issue import permits is at the discretion of the Minister for Home Affairs or the relevant delegate. Permits can be refused even if the requirements have been met.

You must lodge an application to import firearms and firearm-related articles with the Department of Home Affairs using the online application form.

<https://firearms.homeaffairs.gov.au/>

Contact details for the Department of Home Affairs are at page 17.

Other highly-controlled articles

Firearms that have fully automatic firing capability and certain other firearms that are substantially the same in appearance as a fully automatic firearm and firearms to which a firearm accessory is attached or integral are classified as higher controlled firearms.

Firearm accessories are also highly controlled. Firearm accessories are:

- Silencers and sound moderators;
- Devices designed to, or capable of, converting a firearm to give it semiautomatic, burst fire or fully automatic operation;
- Devices designed to increase the rate of fire of a firearm; and
- Firearm parts to which a firearm accessory is attached or integral.

Permission to import these articles must be obtained from the Department of Home Affairs.

In addition to being licensed and/or authorised to possess the article, there are requirements for specific firearms and conditions for importation under each of the import tests.

The Minister for Home Affairs or relevant delegate in the Department of Home Affairs may grant permission for the importation of firearms and firearm-related articles only if satisfied that the importer meets one of the tests that apply to the particular firearm or firearm-related article. A list of the current import tests is at Appendix A.

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You must lodge an application to import firearms and firearm-related articles with the Department of Home Affairs using the online application form.

<https://firearms.homeaffairs.gov.au/>

Contact details for the Department of Home Affairs are at page 17.

CLASSIFICATION OF FIREARMS FOR IMPORTATION PURPOSES

General enquiries about the classification of firearms for the purposes of importation should be addressed to the Department of Home Affairs.

4. Why is a firearm able to be possessed in a particular state or territory but not able to be imported?

As previously discussed, the Australian Government has responsibility for the importation of firearms while the state and territory governments are responsible for laws around the possession and use of firearms.

Although all Australian Governments aim for consistency, in some cases, firearms or firearm-related articles are more highly controlled on import than they are controlled for possession or use. In such cases, the Commonwealth's import restrictions apply.

5. What are 'appearance based controls'?

Controls based on a firearm's appearance are a part of the National Firearms Agreement put in place in 1996, and were reaffirmed by the Commonwealth and all states and territories in 2017.

On import, this means that stricter controls apply to certain firearms that are substantially the same in appearance as fully automatic firearms.

People should contact their state or territory firearms registry for more detail on the application of appearance based controls in their jurisdiction. People should contact the Department of Home Affairs for more detail about import firearms that may be subject to appearance based controls.

6. How do I export a firearm?

Firearms, firearm parts, accessories and ammunition are all subject to export regulation – regardless of their state, age, completeness or working condition.

Export Permits can be obtained from Defence Export Controls within the Department of Defence. For individuals traveling with no more than four firearms as accompanied goods (for example, in passenger baggage), a Restricted Goods Permits can be obtained from the Australian Border Force.

Contact details for the Department of Defence are listed at page 18.

7. How do I hand in or dispose of an unwanted firearm

Individuals with an unregistered or unwanted firearm should contact their local police station or firearms registry for advice.

Contact details for state and territory firearms registries are listed at pages 19 and 20.

8. Who should I contact if I have general concerns regarding firearms not addressed in this booklet?

If you have general concerns regarding firearms which are not addressed in this booklet, please contact your local state or territory's police assistance line in the first instance.

Contact details

Home Affairs Portfolio

Department of Home Affairs

Firearms Team

PO Box 25 BELCONNEN ACT 2616

Phone: 02 6152 2661

Outside Australia: +61 2 6152 2661

(Monday-Friday 10am-12.30pm and 1.30pm-4pm AEST, excluding public holidays)

General enquiries: firearms.enquiries@homeaffairs.gov.au

Application specific inquiries: firearms.applications@homeaffairs.gov.au

(Please provide your reference number in the subject field)

www.homeaffairs.gov.au

Australian Border Force

Importation of (non-firearm) Weapons

The importation of weapons is prohibited under Schedule 13 of the *Customs (Prohibited Imports) Regulations 1956*. Importers must obtain permission to bring weapons into Australia. The importation requirements will depend on the type of weapon and purpose of the importation.

Weapons import enquiries and import permit applications: fwp@abf.gov.au

www.abf.gov.au

Restricted Goods Permit

For assistance with your Restricted Goods Permit, please contact:

NSW/ACT mandexnsw@abf.gov.au	SA detainedgoods.sa@abf.gov.au
VIC/TAS clientservicestullamarine@abf.gov.au	WA shopfrontchap@abf.gov.au
QLD mandexqld@abf.gov.au	NT ntclientservices@abf.gov.au

Telephone enquiries may be made through the general enquiry number that operates from 9am-5pm in all states and territories: 131 881.

Other Commonwealth Departments

Department of Health

GPO Box 9848
CANBERRA ACT 2601
+61 2 6289 1555
www.health.gov.au

Department of Agriculture, Water and the Environment

National Office
GPO Box 858
CANBERRA ACT 2601
+61 2 6272 3933
www.awe.gov.au

Department of Defence

Defence Export Controls
R1-3-A004 PO Box 7901
CANBERRA BC ACT 2610
1800 661 066
Outside Australia: +61 2 6266 7222
ExportControls@defence.gov.au
www.defence.gov.au

State and territory firearms registries

Australian Capital Territory

Firearms Registry
GPO Box 401
CANBERRA CITY ACT 2601
(02) 02 5126 9076
8am-1pm and 2pm-3pm weekdays
(closed the last Friday of each month and on Public Holidays)
ACTFirearmsRegistry@afp.gov.au
www.police.act.gov.au

New South Wales

Firearms Registry
Locked Bag 1
MURWILLUMBAH NSW 2484
Online form: www.police.nsw.gov.au/online_services/firearms/contact_us
www.police.nsw.gov.au

Northern Territory

Firearms Registry
PO Box 39764
WINNELLIE NT 0821
FirearmsRegistry@pfes.nt.gov.au
www.pfes.nt.gov.au

Queensland

Weapons Licensing
GPO Box 892
BRISBANE QLD 4001
weaponslicensing@police.qld.gov.au
www.police.qld.gov.au

South Australia

Firearms Branch
100 Angas Street
ADELAIDE SA 5000
SAPOL.FirearmsBranch@police.sa.gov.au
www.police.sa.gov.au

Tasmania

Firearms Services
GPO Box 308
HOBART TAS 7001
firearms.services@police.tas.gov.au
www.fas.police.tas.gov.au

Victoria

Licensing and Regulation Division
GPO Box 2807
MELBOURNE VIC 3001
licensingregulation@police.vic.gov.au
www.police.vic.gov.au

Western Australia

Police Licensing Services (Firearms)
Locked Bag 9
EAST PERTH WA 3892
LicensingServicesFirearms@police.wa.gov.au
www.police.wa.gov.au

APPENDIX A – Legislative import tests administered by the Department of Home Affairs

Permission for the importation of Category C and D firearms and firearm-related articles is subject to complying with the relevant import test/s.

Import test	Purpose of import
Official purposes test	<ul style="list-style-type: none"> • Supply to Government under contract • Shown to the Government to demonstrate its uses • Inspect, test, evaluate or use for training • Given or donated to Government • Consumed or destroyed in the course of testing • To be exhibited at a museum by the Government • Exported under contract to the Government of a foreign country
Specified purposes test	<ul style="list-style-type: none"> • Television/film production • Development of mountings for a laser target designator • Ammunition or a component of ammunition under contract • For use in repairs, modification, testing, use in training, manufacture, assembly or research and development • Defence sanctioned activity • Law enforcement sanctioned activity • Research or development of firearms technology or other defence and law enforcement related products (principal/sole occupation) • Testing of ammunition
Specified person test	<ul style="list-style-type: none"> • Occupation is partly or wholly the business of controlling vertebrate pest animals
Sports shooter test	<ul style="list-style-type: none"> • Require a semi-automatic shotgun to compete in clay target events due to a lack of strength or dexterity (medical need), or who owned a semi-automatic shotgun on 15 November 1996

International sports shooter test	<ul style="list-style-type: none"> • For people who are not Australian citizens or permanent visa holders competing in certain clay target events in Australia
Dealer test	<ul style="list-style-type: none"> • Firearm dealers (for category C and category D articles). • Note: Firearm dealers can import Category A, B and H articles with certification from their firearms registry
Returned goods test	<ul style="list-style-type: none"> • For articles previously in Australia that have been legally exported and are being returned
Public interest test	<ul style="list-style-type: none"> • In the public interest to allow the article to be imported
National interest test	<ul style="list-style-type: none"> • In the national interest to allow the article to be imported