

Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014

Report No. 80

Legal Affairs and Community Safety Committee

November 2014

Legal Affairs and Community Safety Committee

Chair	Mr Ian Berry MP, Member for Ipswich
Deputy Chair	Mr Peter Wellington MP, Member for Nicklin
Members	Miss Verity Barton MP, Member for Broadwater Mr Bill Byrne MP, Member for Rockhampton (to 26 August 2014) Mr Sean Choat MP, Member for Ipswich West Mrs Yvette D'Ath MP, Member for Redcliffe (from 27 August 2014) Mr Aaron Dillaway MP, Member for Bulimba Mr Trevor Watts MP, Member for Toowoomba North
Staff	Mr Brook Hastie, Research Director Mr Peter Rogers, Acting Research Director Mrs Kelli Longworth, Principal Research Officer Ms Lucy Manderson, Principal Research Officer Mr Gregory Thomson, Principal Research Officer Mrs Gail Easton, Executive Assistant
Technical Scrutiny Secretariat	Ms Renée Easten, Research Director Mr Michael Gorringe, Principal Research Officer Ms Tamara Vitale, Executive Assistant
Contact details	Legal Affairs and Community Safety Committee Parliament House George Street Brisbane Qld 4000
Telephone	+61 7 3406 7307
Fax	+61 7 3406 7070
Email	lacsc@parliament.qld.gov.au
Web	www.parliament.qld.gov.au/lacsc

Acknowledgements

The Committee acknowledges the assistance provided by Mr Carl Judge MP, Member for Yeerongpilly, and the Public Safety Business Agency.

Contents

Abbreviations	iv
Chair's foreword	v
Recommendations	vi
1. Introduction	1
1.1 Role of the Committee	1
1.2 Inquiry process	1
1.3 Policy objectives of the Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014	2
1.4 3D printing	3
1.5 3D printing and other jurisdictions	3
1.6 Current Senate Inquiry	4
1.7 Standing Counsel on Police and Emergency Management	5
1.8 <i>Weapons Act 1990</i>	6
1.9 Consultation on the Bill	8
1.10 Should the Bill be passed?	8
2. Examination of the Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014	9
2.1 Policy objectives of the Bill	9
2.2 Digital 3D firearms definition	10
2.3 Issues raised in submissions	11
3. Fundamental legislative principles	15
3.1 Rights and liberties of individuals	15
3.2 Institution of Parliament	18
Appendix A – List of Submissions	19

Abbreviations

Act	<i>Weapons Act 1990</i>
Bill	Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014
CAD	Computer Aided Design
Committee	Legal Affairs and Community Safety Committee
DV Orders	Domestic Violence Orders
PSBA	Public Safety Business Agency
QPS	Queensland Police Service
Research Brief	Research Brief titled ' <i>3D Printed Guns</i> ' prepared by the Queensland Parliamentary Library and Research Service, dated 30 April 2014
SCPEM	Standing Counsel on Police and Emergency Management
SUQ	Shooters Union of Queensland Inc.

Chair's foreword

This report presents a summary of the Legal Affairs and Community Safety Committee's examination of the Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014.

The Committee's task was to consider the policy outcomes to be achieved by the legislation, as well as the application of fundamental legislative principles – that is, to consider whether the Bill had sufficient regard to the rights and liberties of individuals, and to the institution of Parliament.

On behalf of the Committee, I thank those individuals and organisations who lodged written submissions on this Bill. I also thank the Committee's Secretariat, Mr Carl Judge MP, Member for Yeerongpilly, and the Public Safety Business Agency who assisted the Committee in its inquiry.

I commend this report to the House.



Ian Berry MP

Chair

Recommendations

Recommendation 1

8

The Committee recommends the Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014 not be passed.

Recommendation 2

14

The Committee recommends the Minister for Police, Fire and Emergency Services investigate the need for legislation relating to the manufacture of 3D weapons.

1. Introduction

1.1 Role of the Committee

The Legal Affairs and Community Safety Committee (Committee) is a portfolio committee of the Legislative Assembly which commenced on 18 May 2012 under the *Parliament of Queensland Act 2001* and the Standing Rules and Orders of the Legislative Assembly.¹

The Committee's primary areas of responsibility include:

- Justice and Attorney-General;
- Police Service; and
- Fire and Emergency Services.

Section 93(1) of the *Parliament of Queensland Act 2001* provides that a portfolio committee is responsible for examining each bill and item of subordinate legislation in its portfolio areas to consider:

- the policy to be given effect by the legislation;
- the application of fundamental legislative principles; and
- for subordinate legislation – its lawfulness.

The Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014 (Bill) is a Private Members' Bill and was introduced into the Legislative Assembly by the Member for Yeerongpilly, Mr Carl Judge MP, and referred to the Committee on 22 May 2014.

In accordance with Standing Order 136(1), the Committee must report to the Legislative Assembly on or before 24 November 2014.

1.2 Inquiry process

On 29 May 2014, the Committee wrote to the Honourable Campbell Newman MP, Premier of Queensland (Premier) seeking a whole-of-government submission to the Bill, Mr Carl Judge MP, and the Public Safety Business Agency (PSBA) seeking advice on the Bill, and invited subscribers and stakeholders to lodge written submissions.

The Committee received written advice from Mr Judge MP,² and three written submissions (see **Appendix A**).

On 22 July 2014, the Committee received written advice from Mr Judge MP, responding to issues raised in submissions received.³

On 8 September 2014, the Premier advised the Committee that the Government would not be providing a submission on the Bill.⁴

On 8 September 2014, the Committee received written advice from the PSBA, which included a report on the issues raised in submissions.⁵

¹ *Parliament of Queensland Act 2001*, section 88 and Standing Order 194.

² Correspondence from Mr Carl Judge MP, Member for Yeerongpilly: 24 May 2014; 22 July 2014; 18 August 2014; 22 September 2014; 23 September 2014; and 14 October 2014.

³ Letter from Mr Carl Judge MP, Member for Yeerongpilly, 22 July 2014.

⁴ Letter from the Honourable Campbell Newman MP, Premier of Queensland, 8 September 2014.

On 23 September 2014, the Committee received written advice from Mr Judge MP, responding to the issues raised in the PSBA's response to submissions.⁶

1.3 Policy objectives of the Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014

The policy objectives of the Bill are:

- to create a licensing scheme for persons who make, acquire, possess and/or distribute digital 3D firearms as well as for licensed armourers involved in the manufacturing of firearms using an additive manufacturing process;
- to provide transitional provisions for the licensing scheme;
- to create offences and punishment provisions for persons who unlawfully make, acquire, possess and/or distribute digital 3D firearms; and
- to amend the *Weapons Act 1990* to include new definitions as necessary.⁷

In his Introductory Speech, Mr Judge MP explained that the Bill '*...has been developed in response to technology advancements enabling firearms to be printed using additive manufacturing processes*'.⁸

The Explanatory Notes state:

It is now possible for digital 3D firearm technology to be applied in conjunction with an additive manufacturing process (i.e. 3D printing) to make a physical and operative firearm. Technology advancements associated with the application of digital 3D models and 3D printers are increasing and cost inhibitors are reducing. Nowadays digital 3D model technology can be extensively applied.

There are many positive uses of such technology including for medical, scientific and industrial purposes. The same technology can also be applied though for criminal purposes. Accordingly, it is emphasised that laws must keep pace with technology to effectively protect the community and all citizens alike.

The possibility and affordability to actually print a physical and operative firearm may be enticing to some persons, particularly those who participate in a range of criminal activity. From this perspective it is important to recognise that the making, acquisition, possession and/or distribution of a digital 3D firearm and/or use of an additive manufacturing process to make a firearm inherently exposes the community to very real and significant risk. Unauthorised activities of this kind must therefore be considered as a crime and dealt with fittingly.⁹

During his Introductory Speech, Mr Judge MP tabled a research brief prepared by the Queensland Parliamentary Library and Research Service, regarding the existence, or otherwise, of offences under Commonwealth or Queensland legislation for the downloading or possessing of computer files for the creation of plastic guns using 3D printers (Research Brief).¹⁰

⁵ Letter from Public Safety Business Agency, 8 September 2014. On 23 October 2014, the Committee received further correspondence from the Public Safety Business Agency making a correction to its response to submissions.

⁶ Letter from Mr Carl Judge MP, Member for Yeerongpilly, 23 September 2014.

⁷ *Explanatory Notes*, Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014, page 1.

⁸ *Record of Proceedings (Hansard)*, 22 May 2014, page 1805.

⁹ *Explanatory Notes*, Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014, page 1.

¹⁰ Research Brief, *3D Printed Guns*, Queensland Parliamentary Library, 30 April 2014.

Mr Judge MP advised that the research brief ‘...reveals a very real and increasingly significant risk to our community’.¹¹ In that context, Mr Judge MP asserted we must ‘...be cognisant of technology advancements that may, and indeed can, be applied for criminal purposes’ and our laws must ‘...keep pace with technology to effectively protect our community and all citizens alike’.¹²

1.4 3D printing

3D printing is a type of manufacturing that allows three-dimensional (3D) objects to be created using a computer, software, and a 3D printer:

Also known as additive fabrication, the process involves creating the object layer by layer, using a variety of materials, such as plastic, glass, metal and ceramic.

There are several ways these materials can be turned into the desired shape. For example:

- *Molten polymers are extruded into shape and then solidify as they cool;*
- *A fluid can be jet-inked onto a surface, and then turned into a solid structure through a chemical reaction;*
- *Metal objects can be built by laying metal in powder form, then welding selected areas with a laser; and*
- *Living cells can be printed with a bio-ink formulation, to build tissue and organs layer by layer.*¹³

According to an article on the ABC News website, the technology is decades-old, but 3D printers have become much cheaper since 2010, with some home kits now selling for under \$500.¹⁴ The article comments on the contemporary use of 3D printer technology:

Home enthusiasts can make their own designs of 3D objects using specialist software, or download instructions from online repositories providing thousands of open-source designs...

3D printers are already being used to produce toys, car parts, prosthetic limbs, and even 'self-replicating' 3D printers themselves.

Biotechnology firms are beginning to use 3D printing to print animal cells and reproduce nerves, muscles and bones.

*Meanwhile, firearm enthusiasts are working on downloadable gun designs, and construction entrepreneurs hope to use 3D printing to build entire houses.*¹⁵

During the inquiry process, Mr Judge MP supplied the Committee with various news items on continuing developments in 3D printing technology and its application.

1.5 3D printing and other jurisdictions

In 2013, Cody Wilson of ‘Defense Distribution’ used a 3D printer to make, and successfully test fire, a plastic gun called ‘The Liberator’ in Texas, in the United States of America.¹⁶ Mr Wilson subsequently

¹¹ *Record of Proceedings (Hansard)*, 22 May 2014, page 1805.

¹² *Record of Proceedings (Hansard)*, 22 May 2014, page 1805.

¹³ *What is 3D printing?*, ABC News website, 3 May 2013.

¹⁴ *What is 3D printing?*, ABC News website, 3 May 2013.

¹⁵ *What is 3D printing?*, ABC News website, 3 May 2013.

¹⁶ *3D printing expert hoses down fears of homemade gun surge*, ABC News website, 25 May 2013.

made the computer aided design (CAD) files freely available online. CAD is the use of computer systems to assist in the creation, modification, analysis, or optimization of a design.¹⁷ The files were downloaded more than 100,000 times before the United States government requested the files be removed.¹⁸

The United States State Department considers that making CAD files of firearms available online is a breach of the International Traffic in Arms Regulations.¹⁹ A 3D printed gun will also be subject to the *Undetectable Firearms Act of 1988* (United States), which makes it illegal to manufacture a firearm that cannot be detected by metal detectors or standard airport imaging technology.²⁰ Additionally, the city of Philadelphia has passed a ban on 3D printed guns.²¹

In the United Kingdom, the manufacture of a 3D printed gun is subject to the *Firearms Act 1968* (UK). The Home Office considers that a 3D printed gun falls within the definition of 'firearm' in section 57 of the *Firearms Act 1968* (UK), and is subject to the requirements of that Act.²² The *Firearms Act 1968* (UK) makes it an offence for a person to possess, purchase, or acquire any component part of a firearm without a certificate.²³ It is also an offence to manufacture or possess for sale a component part of a firearm acting by way of trade or business, or to manufacture, possess, purchase, sell, transfer or acquire a component part of a prohibited weapon without the authority of the Secretary of State for the Home Department, or, in Scotland, the authority of a Scottish Minister.²⁴

New South Wales police used a 3D printer to make a gun using the Liberator CAD files downloaded from the internet. It was made on an entry level 3D printer and cost \$35 to make. The gun took 27 hours to print and one minute to put the parts together.²⁵ The New South Wales Police Commissioner, Andrew Scipione, stated: '*not only are these things undetectable, untraceable, cheap and easy to make, but they will kill*'.²⁶ He noted illegality on two counts: manufacturing a firearm, and possession of an illegal weapon.²⁷

1.6 Current Senate Inquiry

On 19 June 2014, the Senate of the Parliament of Australia referred the following matter to the Legal and Constitutional Affairs Committee for inquiry and report:

The ability of Australian law enforcement authorities to eliminate gun-related violence in the community, with reference to:

(a) *the estimated number, distribution and lethality of illegal guns, including both outlawed and stolen guns in Australia;*

¹⁷ Narayan, K. Lalit, *Computer Aided Design and Manufacturing*, New Delhi: Prentice Hall of India, 2008, page 3.

¹⁸ *Online gun sales, 3D printing of plastic weapons pushing firearms into hands of criminal underworld*, ABC News website, 22 April 2014.

¹⁹ US Department of State, Directorate of Defense Trade Controls, *The International Traffic in Arms Regulations (ITAR)*, 23 April 2014; *I 3D-Printed An AR-15 Assault Rifle -- And It Shoots Great!*, Business Insider Australia website, 5 December 2013.

²⁰ Section 2 of the *Undetectable Firearms Act of 1988* (United States).

²¹ *I 3D-Printed An AR-15 Assault Rifle -- And It Shoots Great!*, Business Insider Australia website, 5 December 2013.

²² Home Office, *Guide on Firearms Licensing Law*, November 2013, pages 7 and 24.

²³ *Firearms Act 1968* (UK), section 1.

²⁴ *Firearms Act 1968* (UK). sections 3 and 5.

²⁵ *NSW Police 'terrified' 3D plastic guns will make way to Sydney streets*, 24 May 2013.

²⁶ *Police warn public over 3D printer guns*, ABC Lateline website, 24 May 2013.

²⁷ *NSW Police 'terrified' 3D plastic guns will make way to Sydney streets*, 24 May 2013.

- (b) the operation and consequences of the illicit firearms trade, including both outlawed and stolen guns within Australia;*
- (c) the adequacy of current laws and resourcing to enable law enforcement authorities to respond to technological advances in gun technology, including firearms made from parts which have been imported separately or covertly to avoid detection, and firearms made with the use of 3D printers;*
- (d) the extent to which the number and type of guns stolen each year in Australia increase the risk posed to the safety of police and the community, including the proportion of gun-related crime involving legal firearms which are illegally held;*
- (e) the effect banning semi-automatic handguns would have on the number of illegally held firearms in Australia;*
- (f) stricter storage requirements and the use of electronic alarm systems for guns stored in homes;*
- (g) the extent to which there exists anomalies in federal, state and territory laws regarding the ownership, sale, storage and transit across state boundaries of legal firearms, and how these laws relate to one another; and*
- (h) any related matters.*

The reporting date is 2 December 2014.²⁸

Within the course of its inquiry the Legal and Constitutional Affairs Committee has reportedly received submissions calling for laws to regulate 3D printing technologies and weapons.²⁹

1.7 Standing Counsel on Police and Emergency Management

The Australian Attorney-General's Standing Counsel on Police and Emergency Management (SCPEM) promotes a coordinated national response to law enforcement and emergency management issues. It includes Australian and New Zealand ministers for police and emergency management and a representative of the Australian Local Government Association. At its July 2013 meeting, SCPEM Ministers agreed to progress a number of important measures as part of the National Response to Firearm Crime, including the implementation of the Australian Ballistics Information Network. The Network will provide another significant new national capability which will allow police in all jurisdictions to better use ballistics to link guns to crimes that are committed in the community.³⁰

In August 2013, the Australian Government's Attorney-General's Department's Firearms and Weapons Policy Working Group also discussed 3D weapons and firearms and flagged it as an emerging issue.³¹

²⁸ Senate Legal and Constitutional Affairs Committee, The ability of Australian law enforcement authorities to eliminate gun-related violence in the community, www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Illicit_firearms, accessed 17 October 2014.

²⁹ www.abc.net.au/news/2014-10-13/calls-for-crackdown-on-3d-printed-illegal-and-stolen-weapons/5809390, accessed 22 October 2014; Senate Legal and Constitutional Affairs Committee, The ability of Australian law enforcement authorities to eliminate gun-related violence in the community, www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Illicit_firearms/Submissions, accessed 22 October 2014.

³⁰ www.ag.gov.au/EmergencyManagement/Documents/4-5July2013Communique.PDF, accessed 22 October 2014.

³¹ Public Safety Business Agency, Telephone conversation, 22 October 2014.

1.8 *Weapons Act 1990*

The *Weapons Act 1990* (Act) provides for the regulation or prohibition of the purchase, possession, use, carrying and sale of certain weapons and articles, and provides for the prevention of the misuse of weapons and for related purposes. The object of the Act is to prevent the misuse of weapons,³² and the underlying principles are that weapon possession and use are subordinate to the needs of ensuring public and individual safety; and that such safety is improved by imposing strict controls on the possession of weapons and requiring the safe and secure storage and carriage of weapons.³³

Schedule 2 of the Act defines 'weapon' as:

- (a) (i) *a firearm; or*
- (ii) *another thing prescribed under a regulation to be a weapon or within a category of weapon; or*
- (iii) *a thing that would be a weapon mentioned in subparagraph (i) or (ii), if it were not temporarily inoperable or incomplete; and*
- (b) *does not include a public monument.*

Schedule 2 of the Act defines 'firearm' to mean:

- (a) *a gun or other thing ordinarily described as a firearm; or*
 - (b) *a thing ordinarily described as a weapon that, if used in the way for which it was designed or adapted, is capable of being aimed at a target and causing death or injury by discharging—*
 - (i) *a projectile; or*
 - (ii) *noxious, corrosive or irritant liquid, powder, gas, chemical or other substance; or*
 - (c) *a thing that would be a firearm mentioned in paragraph (a) or (b), if it were not temporarily inoperable or incomplete; or*
 - (d) *a major component part of a firearm;*
- but does not include—*
- (e) *an antique firearm, explosive tool, captive bolt humane killer, spear gun, longbow or crossbow; or*
 - (f) *a replica of a spear gun, longbow or crossbow; or*
 - (g) *a slingshot, shanghai or sword; or*
 - (h) *a public monument.*

Example—

A replica of a gun capable of causing death or injury by discharging a projectile is a firearm. However, a replica of a gun not capable of causing death or injury by discharging a projectile is not a firearm.

Part 2 of the Act provides for a licensing regime, including various classes of licence, such as an armourer's licence, dealer's licence and firearms licence.³⁴ Schedule 2 defines an 'armourer' as a

³² *Weapons Act 1990*, section 3(2).

³³ *Weapons Act 1990*, section 3(1).

³⁴ *Weapons Act 1990*, section 12.

person who stores, manufactures, modifies or repairs weapons in the course of the person's business.

A licence is issued by an authorised officer, that is, the commissioner, an executive officer, commissioned officer or a police officer of the Queensland Police Service (QPS).³⁵ A licence may be issued to a person if the person:

- has an adequate knowledge of safety practices for the use, storage and maintenance of the weapon;³⁶
- has access to secure storage facilities for the weapon;
- is a fit and proper person to hold a licence;³⁷
- has a reason to possess the weapon such as for sports, target or recreational shooting, an occupational requirement, rural purposes, the collection, preservation or study of weapon or another reason prescribed under a regulation;³⁸ and
- resides only in Queensland.³⁹

In addition, the commissioner maintains a register of all firearms in Queensland.⁴⁰ The register includes details of:

- the owner;
- the firearm including the serial number;
- the licence authorising possession of the firearm;
- the permit to acquire the firearm and the person the firearm was acquired from;
- the place the firearm is kept; and
- the reason for possession of the firearm.⁴¹

Parts 3 and 4 of the Act provide for the acquisition, sale and disposal of weapons, and the possession and use of weapons, respectively. Part 4, Division 1 of the Act creates a range of offences concerning unlawful possession, supply, trafficking, and use of weapons and conduct involving weapons, as well as the maximum penalties for committing those offences.

Section 49A provides that a licence under Part 2 is the authority allowing a person or body to possess and use a weapon for a lawful purpose, subject to any relevant regulation or condition.

The Act establishes a number of offences in relation to firearms. Section 50 provides that a person must not unlawfully possess a weapon, and section 50A provides that a person must not possess an unregistered firearm, that is, a firearm for which information is not entered in the firearms register. 'Possession' is defined as:

- (a) *having the thing in one's custody; and*
- (b) *having the thing under one's control in any place, whether or not another has custody of the thing; and*

³⁵ *Weapons Act 1990*, sections 9 and 153.

³⁶ *Weapons Act 1990*, sections 10A and 10AA.

³⁷ *Weapons Act 1990*, section 10B.

³⁸ *Weapons Act 1990*, section 11.

³⁹ *Weapons Act 1990*, section 10.

⁴⁰ *Weapons Act 1990*, section 49(1).

⁴¹ *Weapons Act 1990*, section 49(2).

- (c) *having an ability to obtain custody of the thing at will; and*
- (d) *having a claim to custody of the thing which the claimant has committed to the custody of another, notwithstanding that the thing is temporarily not in the control of the person having such claim.*⁴²

In addition, a person must not unlawfully supply a weapon to another person.⁴³

The Act contains further offences in relation to the use of a firearm under the influence of liquor or drugs, the modification of firearms, the use of a firearm on another person's land without the consent of the owner or occupier, or the use of a firearm in a public place or road.⁴⁴

Unless a person is a licensed dealer or licensed armourer or is otherwise authorised under the Act, a person is not to repair or store weapons in the course of business.⁴⁵ Further, a person who is not a licensed armourer must not manufacture a weapon.⁴⁶

A person may acquire a weapon only if the person is a licensed dealer; or the person holds a permit to acquire the weapon and acquires the weapon from or through a licensed dealer; or through a police officer in circumstances prescribed under a regulation; or the person acquires the weapon under other lawful authority, justification or excuse.⁴⁷

1.9 Consultation on the Bill

As set out in the Explanatory Notes, there has been no formal consultation on the Bill.⁴⁸

1.10 Should the Bill be passed?

Standing Order 132(1) requires the Committee to determine whether or not to recommend the Bill be passed. The Committee has considered the form and policy intent of the Bill and, while it sees merit in aspects of the Bill, the Committee agreed that further consideration should be given to the issues outlined within this report.

Accordingly, the Committee has determined the Bill should not be passed.

Recommendation 1

The Committee recommends the Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014 not be passed.

⁴² *Weapons Act 1990*, schedule 2.

⁴³ *Weapons Act 1990*, section 50B.

⁴⁴ *Weapons Act 1990*, sections 59, 61, 62, 56(2)(3), 57 and 58(2).

⁴⁵ *Weapons Act 1990*, section 69(1).

⁴⁶ *Weapons Act 1990*, section 69(1A).

⁴⁷ *Weapons Act 1990*, section 35.

⁴⁸ *Explanatory Notes*, Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014, page 2.

2. Examination of the Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014

This section discusses issues raised during the Committee's examination of the Bill.

2.1 Policy objectives of the Bill

Creating a licensing scheme and creating offences and punishment provisions

Clause 3 of the Bill inserts proposed new section 69A into the Act, to require licensed armourers to be authorised under a condition of the armourer's licence to manufacture firearms using an additive manufacturing process, and sets penalties for any non-compliance offence(s).⁴⁹ Different maximum penalties are set depending on the category of the firearm.

Clause 4 inserts proposed new Part 5A 'Digital 3D firearms' into the Act, after section 141B 'Disclosure requirements'. According to the Explanatory Notes, it creates the following new divisions and sections:

Division 1 Preliminary

- 141C 'Application of pt 5A' lists certain persons or activities that are exempt;
- 141D 'Definitions for pt 5A' provides new definitions as necessary;

Division 2 Digital firearm licences

- 141E 'Digital firearm licences' provides that a licence authorises the holder to do activities stated in the licence (i.e. acquire, distribute, possess and/or make a 3D firearm);
- 141F 'Digital firearm licence applications' describes the application process for a digital firearm licence;
- 141G 'Deciding digital licence applications' sets out the decision process and period for authorising a digital firearm licence;
- 141H 'Notices of decisions' explains obligations upon an authorised officer to give notice of a decision to grant or refuse an application including the period for doing so;
- 141I 'Issue of digital firearm licence' specifies the form, conditions and duration of a digital firearm licence;
- 141J 'Renewal of digital firearm licences' describes the renewal process for a digital firearm licence and obligations upon an authorised office to give notice of a decision to grant or refuse a renewal application including the period for doing so; and
- 141K 'Revocation of digital firearm licences' details obligations upon a licensee to give an authorised officer written notice in certain circumstances and, in turn, explains obligations upon an authorised officer to give a notice to show cause (i.e. show cause notice) why the licence should not be revoked and respective periods for doing so.

⁴⁹ Explanatory Notes, Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014, page 3.

Division 3 Offences relating to digital 3D firearms

- 141L ‘Making of digital 3D firearms’ prohibits a person from making a digital 3D firearm unless authorised and sets out categories and corresponding punishments;
- 141M ‘Acquisition and possession of digital 3D firearms’ prohibits a person from knowingly acquiring or having possession of a digital 3D firearm unless authorised and sets out categories and corresponding punishments; and
- 141N ‘Distribution of digital 3D firearms’ prohibits a person from distributing a digital 3D firearm unless authorised and sets out categories and corresponding punishments.⁵⁰

Clause 5 proposes to amend existing section 142 ‘Right to apply for review of decisions’, by inserting new provisions into the Act to provide a right to apply for review of a decision: refusing an application for, or renewal of, a digital firearm licence; or revoking a digital firearm licence.⁵¹

Providing transitional provisions for licensing scheme

Clause 6 of the Bill inserts proposed new Part 8, Division 6 ‘Transitional provision for Weapons (3D Digital and Printed Firearms) Amendment Bill 2014’ into the Act, specifying that a licenced armourer using an additive manufacturing process has a three month period to amend the armourer’s licence to include a condition authorising the armourer to manufacture firearms in this way.⁵²

Amending the *Weapons Act 1990* to include new definitions

Clause 7 of the Bill proposes to amend ‘Schedule 2 Dictionary’ to insert new definitions, including:

additive manufacturing process—

- a) means a process by which a physical object or thing is created, usually in a series of layers, from a digital 3D model; and
- b) includes 3D printing.

digital 3D firearm means a digital 3D model of a firearm from which a physical version of the firearm can be manufactured using an additive manufacturing process.

digital 3D model means a digital mathematical representation of a 3D object or thing.

distribute, for a digital 3D firearm, for part 5A, see section 141D.

make, for a digital 3D firearm, see section 141D.

2.2 Digital 3D firearms definition

The Act does not extend to the unlawful manufacture, distribution, acquisition and possession of ‘digital 3D firearms’ as defined in the Bill.⁵³

Clause 7 defines a ‘digital 3D firearm’ as a digital 3D model of a firearm from which a physical version of the firearm can be manufactured using an ‘additive manufacturing process’.

⁵⁰ *Explanatory Notes*, Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014, pages 3-4.

⁵¹ *Explanatory Notes*, Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014, page 4; Clause 5 of the Bill inserts new provisions 142(1)(g), (h) and (i).

⁵² *Explanatory Notes*, Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014, page 4. NOTE: the Explanatory Notes contain an error, by incorrectly referring to Part 5, rather than Part 8.

⁵³ Letter from the Public Safety Business Agency, 8 September 2014, page 1.

Clause 7 defines 'additive manufacturing process' to mean:

- (a) *a process by which a physical object or thing is created, usually in a series of layers, from a digital 3D model; and*
- (b) *includes 3D printing.*

The Act provides offences for the unlawful manufacture, supply and possession of firearms, and defines a firearm to mean '*a thing ordinarily described as a weapon that, if used in the way for which it was designed or adapted, is capable of being aimed at a target and causing death or injury by discharging...*'.⁵⁴

The QPS Ballistics Unit indicate a strong argument that a 3D printed firearm is a firearm, and explains that in making the determination, they would need to examine the firing action of the weapon to determine the method in which ammunition is loaded, and extracted, and they would have to test fire the weapon to determine if it would be capable of causing injury by discharging a projectile.⁵⁵

Mr Judge MP advised that the question of whether existing legislation addressing the making, acquiring, possession and distribution of digital 3D firearms was thoroughly explored in researching and preparing the Bill, including by expert drafters from the Office of Queensland Parliamentary Counsel. Mr Judge MP stated:

The bill was introduced to overcome an apparent legislative shortfall and address the possibility for criminality to occur as a result of advancements in computing and 3D printing technology. The reasons for the bill are accurately and succinctly stated in the explanatory notes. To overcome any ambiguity in the PSBA's answer and in order to be perfectly clear, the Weapons Act 1990 does not contain any provisions whatsoever relevant to the making, acquiring, possession and distribution of a 'digital 3D firearm'.⁵⁶

Further, Mr Judge MP reiterated the importance of understanding the Bill's definitions, including that a '*digital 3D firearm*' means a digital 3D model of a firearm from which a physical version of the firearm can be manufactured: '*Hence, it is not a physical item and therefore not possibly a replica of a gun. Rather it is a "computer program" to apply lay terminology and assist understanding*'.⁵⁷

2.3 Issues raised in submissions

General observations regarding submissions

The Committee received three written submissions.

The Aboriginal and Torres Strait Islander Legal Service (Qld) conveyed its support for the objectives of the Bill and did not identify any issues with its operation,⁵⁸ whereas Mr David Nielsen and the Shooters Union of Queensland Inc. (SUQ) do not support the Bill, and suggested that existing legislation achieves the objectives of the Bill.⁵⁹ Additionally, although the QPS did not make a written submission to the Committee, the PSBA advised the Committee: '*The Queensland Police Service does not support the Bill*'.⁶⁰

⁵⁴ *Weapons Act 1990*, Schedule 2.

⁵⁵ Letter from the Public Safety Business Agency, 8 September 2014, page 4.

⁵⁶ Letter from Mr Carl Judge MP, Member for Yeerongpilly, 23 September 2014, page 4.

⁵⁷ Letter from Mr Carl Judge MP, Member for Yeerongpilly, 23 September 2014, page 4.

⁵⁸ Aboriginal and Torres Strait Islander Legal Service (Qld) Ltd, Submission No. 3, page 1.

⁵⁹ David Nielsen, Submission No. 1; Shooters Union of Queensland Inc., Submission No. 2.

⁶⁰ Letter from the Public Safety Business Agency, 8 September 2014, page 5.

Criticisms of the Bill and its Explanatory Notes

Mr David Nielsen strongly objected to the Bill, describing it as *'sheer stupidity'*, *'a totally idiotic attempt at publicity'* and a further evolution of *'...one of the most draconian Weapons Licensing regimes in the Western World'*.⁶¹ On this basis, he asserted:

*The fundamental premise of the proposed Bill, to legislate the manufacture, distribution, and ownership of firearms that are manufactured by digital fabrication, is in-its-self redundant; as these aspects are already more than adequately covered by the existing Weapons Licensing Act 1990.*⁶²

Further, Mr Nielsen considered the Bill infringes fundamental freedoms and proposes to create another class of criminal: *'To prove its total stupidity, the proposed Bill even makes it illegal, to simply devise, transmit, or even publish a document that contains the 'new evil' of digital 3D firearms!'*⁶³

In response to Mr Nielsen's assertion that the fundamental premise of the Bill is redundant, Mr Judge MP claimed: *'This is an incorrect interpretation of the Bill which proposes legislation that is not covered by existing laws...'*⁶⁴ Additionally, Mr Judge MP drew the Committee's attention to the *'...contemporary information contained in the Queensland Library Research Brief, tabled when the Bill was introduced in the Legislative Assembly'*.⁶⁵

The PSBA responded to Mr Nielsen's submissions, observing: *'While the Weapons Act 1990 provides offences for the unlawful manufacture, supply and possession of firearms, it does not extend to the unlawful manufacture, distribution, acquisition and possession of 'digital 3D firearms' as defined in the Bill'*.⁶⁶

The PSBA continued, explaining the Bill's definitions of *'digital 3D firearm'* and *'digital 3D model'*:

*In effect, Clause 7 of the Bill is defining a 'digital 3D firearm' as the digital 3D firearm data file that the 3D printer reads in order to print the firearm. A reference in the Bill to a 'digital 3D firearm' is not a reference to the 3D printed gun itself.*⁶⁷

The PSBA claimed Mr Nielsen's *'...misinterpretation is exacerbated by the Explanatory Notes accompanying the Bill...'*, which indicate, in part, that the objectives of the Bill are to create offences and punishment provisions for persons who unlawfully make, acquire, possess and/or distribute digital 3D firearms.⁶⁸

In addition, the PSBA commented on the response by Mr Judge MP to Mr Nielsen's submission, conveying more criticisms of the Explanatory Notes:

Mr Judge states that Mr Nielsen has incorrectly interpreted the offence provisions dealing with the making, possession and distribution of 'a digital 3D firearm' in isolation from the definitions section of the Bill. Consequently, Mr Nielsen believes the offence provisions in the Bill are dealing with the digital 3D firearm and not the digital 3D firearm data file.

⁶¹ David Nielsen, Submission No. 1, page 1.

⁶² David Nielsen, Submission No. 1, page 1. NOTE: There is no Weapons Licensing Act 1990 in Queensland and it is assumed Mr Nielsen is referring to the *Weapons Act 1990*.

⁶³ David Nielsen, Submission No. 1, page 1.

⁶⁴ Letter from Mr Carl Judge MP, Member for Yeerongpilly, 22 July 2014, page 1.

⁶⁵ Letter from Mr Carl Judge MP, Member for Yeerongpilly, 22 July 2014, page 1.

⁶⁶ Letter from the Public Safety Business Agency, 8 September 2014, Attachment 1, page 1.

⁶⁷ Letter from the Public Safety Business Agency, 8 September 2014, Attachment 1, page 1.

⁶⁸ Letter from the Public Safety Business Agency, 8 September 2014, Attachment 1, page 1.

The Explanatory Notes accompanying the Bill, in particular the Objectives of the Bill, are ambiguous and do not clearly articulate the parameters of the Bill. In particular, the Explanatory Notes state that the objectives of the Bill are to 'create a licensing scheme for persons who make, acquire, possess and/or distribute digital 3D firearms as well as for licensed armourers involved in the manufacturing of firearms using an additive manufacturing process' and 'to create offences and punishment provisions for persons who unlawfully make, acquire, possess and/or distribute digital 3D firearms'.⁶⁹

In reply to the PSBA's observations and criticisms, Mr Judge MP drew the Committee's attention to the requirements of section 23 of the *Legislative Standards Act 1992*, which sets out the necessary content of an explanatory note for a bill.⁷⁰ He respectfully submitted that the Explanatory Notes accompanying the Bill satisfy these legislative requirements and asserted that the policy objectives are clear and consistent with the clauses of the proposed legislation.⁷¹

Similar to the arguments of Mr Nielsen, the SUQ expressed the view that existing legislation precludes the necessity for new legislation.⁷² In outlining its position, the SUQ drew the Committee's attention to the Act's existing definitions of 'firearm' and 'armourer', along with sections 50 'Possession of weapons', 50A 'Possession of unregistered firearms' and 50B 'Unlawful supply of weapons'.

Additionally, the SUQ expressed concern the Bill may unwittingly capture expanded firearms drawings, which are commonly available and regularly used to source damaged or broken parts, should such images be digitalised: '*Certainly the capability exists for digitalising such drawings, which are a valuable and innocuous resource for the firearms community*'.⁷³

The SUQ recommended the Committee:

- acknowledge that existing legislation covers the manufacture, distribution and supply of 3D firearms;
- leave existing legislation in place to handle misuse or criminal intent;
- enforce existing laws and penalties;
- decline to pass the Bill; and
- refer any firearms-related Bills to the Ministerial Advisory Panel.⁷⁴

In his response to the SUQ's submission, Mr Judge MP echoed sentiments he expressed in response to Mr Nielsen's submission: '*Upon reading the submission it is respectfully confirmed that yet again there is a clear misinterpretation of the Bill and an apparent misunderstanding that existing legislation effectively addresses the nature of criminality targeted by the Bill*'.⁷⁵

On the basis of the submissions received by the Committee, Mr Judge MP concluded:

...I emphasise that comprehending the definitions contained within the Bill is absolutely critical to understanding the provisions and purpose of the proposed legislation. Additionally, the Queensland Parliamentary Research Brief reveals a very real and increasingly significant risk of criminality targeted by the Bill. Finally, I stress to the

⁶⁹ Letter from the Public Safety Business Agency, 8 September 2014, Attachment 1, page 2.

⁷⁰ Letter from Mr Carl Judge MP, Member for Yeerongpilly, 23 July 2014, page 2.

⁷¹ Letter from Mr Carl Judge MP, Member for Yeerongpilly, 23 July 2014, page 2.

⁷² Shooters Union of Queensland Inc., Submission No. 2, page 2.

⁷³ Shooters Union of Queensland Inc., Submission No. 2, page 5.

⁷⁴ Shooters Union of Queensland Inc., Submission No. 2, page 5.

⁷⁵ Letter from Mr Carl Judge MP, Member for Yeerongpilly, 22 July 2014, page 1.

*committee that as members of parliament (i.e. law makers) we must be highly cognisant of technology advancements that may, and indeed can, be applied for criminal purposes. It is vital that our laws keep pace with technology to effectively protect the community in Queensland.*⁷⁶

The PSBA addressed concerns raised by the SUQ that expanded firearms drawings may be captured by the provisions of the Bill, by reporting advice it received from the QPS: ‘...the parameters of the proposed amendments would not [emphasis added] extend to digital drawings or diagrams of a firearm unless that drawing or diagram was in the correct mathematical format for manufacture using a 3D printer’.⁷⁷

In relation to the SUQ’s submission that the proposed legislation is already covered in the Act,⁷⁸ the PSBA suggested the SUQ may have misinterpreted the offence provisions of the Bill dealing with a digital 3D firearm.⁷⁹

In response, Mr Judge MP outlined the Bill’s definitions of ‘digital 3D firearm’ and ‘digital 3D model’, asserting that mindfulness of these definitions, among others in the Bill, overcomes any mistaken belief the targeted offences are already dealt with under the Act.⁸⁰

Committee Comment

The Committee notes existing laws do not contain provisions relating to the making, acquiring, possession or distribution of a ‘digital 3D firearm’ as defined by the Bill. The Committee also acknowledges the definitions provided in Clause 7 defining a ‘digital 3D firearm’ as a ‘digital 3D model of a firearm from which a physical version of the firearm can be manufactured using an ‘additive manufacturing process’’, has caused confusion.

The Committee also notes the QPS does not support the Bill.

The Committee is satisfied that other matters raised in submissions have been addressed by the PSBA.

The Committee is also satisfied that the availability of 3D printing technologies, and their application to printing weapons, is an emerging area worthy of further investigation.

Recommendation 2

The Committee recommends the Minister for Police, Fire and Emergency Services investigate the need for legislation relating to the manufacture of 3D weapons.

⁷⁶ Letter from Mr Carl Judge MP, Member for Yeerongpilly, 22 July 2014, page 2.

⁷⁷ Letter from the Public Safety Business Agency, 8 September 2014, page 2.

⁷⁸ Letter from the Public Safety Business Agency, 8 September 2014, page 2.

⁷⁹ Letter from the Public Safety Business Agency, 8 September 2014, page 2.

⁸⁰ Letter from Mr Carl Judge MP, Member for Yeerongpilly, 23 September 2014, page 3.

3. Fundamental legislative principles

Section 4 of the *Legislative Standards Act 1992* states that ‘fundamental legislative principles’ are the ‘principles relating to legislation that underlie a parliamentary democracy based on the rule of law’. The principles include that legislation has sufficient regard to:

- the rights and liberties of individuals; and
- the institution of Parliament.

The Committee has examined the application of the fundamental legislative principles to the Bill. The Committee brings the following to the attention of the Legislative Assembly.

3.1 Rights and liberties of individuals

Section 4(2)(a) of the *Legislative Standards Act 1992* requires that legislation has sufficient regard to the rights and liberties of individuals.

The Explanatory Notes recognise that the Bill may impact on the rights and liberties of individuals, specifically those subject to a licensing scheme, and on individuals who offend the proposed penalty provisions, thus having to serve a period of incarceration. In acknowledging this potential breach, the Explanatory Notes state:

These measures are of overriding importance ... and the licencing scheme and penalties are each consistent and proportionate with the existing provisions of the Weapons Act 1990.

Sanctions that restrict rights and liberties of individuals, particularly through incarceration, are only applied to those persons who actively engage in harmful and/or disruptive behaviour. This serves to protect citizens whose rights and liberties would be adversely and unjustifiably restricted or impacted by such behaviour. Sanctions also serve to prevent the continuation of this type of behaviour.

Despite the justification for the use of sanctions based on deterrence, punishment or reduction of the opportunity to re-offend, it is recognised that offenders still remain citizens in society and retain rights and liberties which should not be curtailed any more than is needed. In consideration and respect of these important principles, it is maintained that the licensing scheme and new offences and punishments introduced through the Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014 are reasonable and justified.⁸¹

It is considered that clauses 4, 5 and 7 contain potential issues of concern.

Administrative power

Section 4(3)(a) of the *Legislative Standards Act 1992* provides that whether legislation has sufficient regard to the rights and liberties of individuals depends on whether, for example, the legislation allows the delegation of administrative power only in appropriate cases and to appropriate persons.

Clauses 4 inserts, inter alia, section 141H into the Act to require that an authorised officer must, within the time set in the section, give an applicant for a digital firearm licence written notice of whether or not the application is granted or refused (141H(1)). If the application is refused, the notice must state the reasons for the refusal.

⁸¹ *Explanatory Notes, Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014, page 2.*

Legislation should make rights and liberties, or obligations, dependant on administrative power only if subject to appropriate review. The OQPC Notebook states:

Depending on the seriousness of a decision and its consequences, it is generally inappropriate to provide for administrative decision-making in legislation without providing for a review process. If individual rights and liberties are in jeopardy, a merits-based review is the most appropriate type of review.⁸²

Proposed section 141G(5) allows the authorised officer to grant an application for a digital firearm licence 'subject to a condition the officer reasonably considers appropriate'. Proposed section 141H(2) only requires the written notice of reasons to state the reasons for refusing an application, not the reasons for granting an application subject to conditions. It could well be the case that a person who has been granted a licence subject to a condition might wish to challenge the condition. Their ability to do so would be compromised if they are not made aware of the reasons for the imposition of the condition(s).

Clause 5 amends section 142(1) of the Act to specifically provide for the right to apply for a review of a decision to refuse an application for a digital firearm licence, a decision refusing an application for renewal of a digital firearm licence, or a decision revoking a digital firearm licence (proposed new sections 142(1)(g)-(i)).

Arguably, the specific inclusion of the references to review rights particular to digital firearm licences is not required, because the review rights provided in existing sections 142(1)(aa) and (e) provide for a right to apply for a review of the decision to (a) refuse an application for a licence, permit, approval or other authority under the Act; (aa) refuse to renew a licence under the Act; and (e) a decision to revoke or suspend a licence, permit, approval or authority under the Act.

If new Part 5A is inserted by the Bill, then digital firearm licences and their renewal, revocation etc. will all fall under the parameters of existing sections 142(1)(a), (aa) and (e), thereby making the proposed review powers specified under 142(1)(g)-(i) effectively redundant/unnecessary.

Alternatively, if it was considered desirable that specific reference was made to review rights in respect of applications etc. for digital firearms as intended by sections 142(1)(g)-(i) (rather than relying on the existing general provisions of sections 142(1)(a), (aa) and (e)), then the new paragraphs should also provide for the right to review a decision to impose or amend a licence condition (in a manner similar to the existing general review power under section 142(1)(d)).

Clear and precise drafting

Section 4(3)(k) of the *Legislative Standards Act 1992* provides that whether legislation has sufficient regard to the rights and liberties of individuals depends on whether, for example, the legislation is unambiguous and drafted in a sufficiently clear and precise way.

Clause 4 inserts, *inter alia*, section 141K into the Act which deals with the revocation of digital firearm licences. It applies, *inter alia*, where a licence holder is convicted of an offence under section 10B(2)(a) [for the misuse of drugs, using or threatening violence, or the use, carriage, discharge or possession of a weapon] or becomes the subject of a domestic violence order (DV Order); and requires the licence holder (licensee) to, within 7 days, give an authorised officer written notice of the conviction or DV Order. Within 7 days of receiving that notice, the officer must give the licensee a show cause notice requiring the licensee to show cause why the licence should not be revoked. The show cause notice must allow a period of at least 30 days within which the licensee may show cause why the licence should not be revoked.

⁸² Office of the Queensland Parliamentary Counsel, *Fundamental Legislative Principles: The OQPC Notebook*, page 18.

A number of potential issues arise with proposed section 141K.

- Arguably, a show cause period of ‘at least 30 days’ could make the clause ambiguous and subject to arbitrary interpretation if it is left to the particular officer to set a show cause period on a case by case basis.
- If different show cause periods were set on a case by case basis (rather than specified in regulation) it could result in inequities if some people are granted more time to prepare their show cause argument than others. Also, the longer the show cause period is granted to a particular licensee, the longer that person may retain their licence (in comparison to others whose licences are revoked following a shorter show cause period).
- Digital firearm licence applications must be refused under section 141G(4)(b)(ii) or (iii) if the applicant has been convicted of an offence against section 10B(2)(a) [for the misuse of drugs, using or threatening violence, or the use, carriage, discharge or possession of a weapon] or is the subject of a DV Order. Similarly applications must be refused under section 141G(4)(c)(i) or (ii) if a senior manager of an applicant corporation has been convicted of an offence against section 10B(2)(a) or is the subject of a DV Order.
- Given such convictions or DV Orders are grounds to refuse a licence application, the period of time that elapses from when a licensee is convicted or made the subject of a DV Order, to when their licence might finally be revoked is considerable (i.e. up to 7 days for licensee to notify, a further 7 days in which the show cause notice may be issued and at least 30 days for the show cause period), potentially bringing it to a minimum of 5-6 weeks that a person who has been convicted or made the subject of a DV Order is able to retain their licence after the occurrence of those events. If being the subject of such convictions/orders is, as a matter of public policy, so undesirable that it weighs against the person being granted a licence, it is curious that a person who subsequently is convicted or made the subject of a DV Order is able to retain their digital firearms licence for well over a month (and potentially much longer) while the show cause process runs its course. A provision providing for the immediate suspension of the licence, subject to recommencement if the licensee shows sufficient cause for its reinstatement, might more appropriately reflect the public policy intention of stopping people with convictions for drugs, violence and weapons offence, or who are the subject of DV Orders, from being licenced for digital firearms.

Clause 7 amends the Schedule 2 Dictionary in the Act. Section 7(1) will omit the current definition of ‘*acquire*’ which is defined in the Dictionary as ‘*acquire*, a weapon, see section 35’. Existing section 35(7) of the Act defines ‘*acquire*’ a weapon as meaning (for the purposes of section 35) purchase, accept or receive or otherwise take possession of the weapon. ‘*Acquire*’ is not otherwise defined in the current Act and hence the definition in the Dictionary that directs the reader to the definition in section 35(7) would guide the reader’s interpretation of the word for the meaning of the Act (despite the provision specifically saying it is for the purposes of section 35 (‘only’ being implied).

The new definition of ‘*acquire*’ to be inserted into the Dictionary by clause 7(2) states that it is ‘for Part 5A – see section 141D’. The definition of ‘*acquire*’ in section 141D relates (being specifically for Part 5A) only to digital firearms, stating:

Acquire, for a digital 3D firearm, includes accept, obtain, purchase or receive or otherwise take possession of the digital 3D firearm.

Whilst it is reasonable to have a definition of *acquire* that is specific to digital 3D firearms (for application to Part 5A only), the omission of the existing definition of *acquire* that is currently in the Dictionary will mean that there is no definition of ‘*acquire*’ a weapon that does not relate to digital 3D firearms and no definition to clarify its use in section 35.

Committee Comment

The Committee brings these issues to the attention of the Legislative Assembly.

3.2 Institution of Parliament

Section 4(2)(b) of the *Legislative Standards Act 1992* requires legislation to have sufficient regard to the institution of Parliament.

Committee Comment

Notwithstanding reservations expressed earlier in this report, the Committee is satisfied that the Bill has sufficient regard to the rights and liberties of individuals and the institution of Parliament.

Appendix A – List of Submissions

Sub #	Submitter
001	David Nielsen
002	Shooters Union of Queensland Inc.
003	Aboriginal and Torres Strait Islander Legal Service (Qld) Ltd