



New South Wales

Crimes (Sentencing Procedure) Amendment (Firearms Offences) Bill 2015

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Crimes (Sentencing Procedure) Act 1999*:

- (a) to establish standard non-parole periods for a number of firearm offences against the *Crimes Act 1900*, and
- (b) to increase the standard non-parole periods for offences relating to the unauthorised possession or use of firearms and prohibited weapons under the *Firearms Act 1996* and the *Weapons Prohibition Act 1998*.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of Crimes (Sentencing Procedure) Act 1999 No 92

The Table to Division 1A of Part 4 of the *Crimes (Sentencing Procedure) Act 1999* (the *Table*) sets standard non-parole periods for a number of offences. When determining a sentence for an offence listed in the Table, a court is required to take into account the standard non-parole period for that offence.

Schedule 1 [1] and [2] amend the Table to introduce a standard non-parole period of 9 years for offences under section 33A (1) and (2) of the *Crimes Act 1900* relating to discharging a firearm with intent to cause grievous bodily harm or to resist arrest or detention, of 5 years for an offence under section 93GA (1) of that Act of firing a firearm at a dwelling-house or other building with reckless disregard for the safety of any person and of 6 years for offences under section 93GA (1A) and (1B) of that Act of firing a firearm with reckless disregard for the safety of any person at a dwelling-house or other building during a public disorder or in the course of organised criminal activity.

Schedule 1 [3] and [4] amend the Table to increase the standard non-parole period for offences under section 7 of the *Firearms Act 1996* relating to unauthorised possession or use of firearms from 3 to 4 years and for offences under section 7 of the *Weapons Prohibition Act 1998* relating to unauthorised possession or use of prohibited weapons from 3 to 5 years.

Schedule 1 [5] is a savings and transitional provision.