**FIREARMS ORDER AND ACKNOWLEDGEMENT**

**Firearms Act 2015 s 66(1)**

[*SUPREME/DISTRICT/MAGISTRATES/**YOUTH/ENVIRONMENT RESOURCES AND DEVELOPMENT*] **Select one** COURT OF SOUTH AUSTRALIA

CRIMINAL JURISDICTION

**[*FULL NAME*]**

**Informant/R**

**v**

**[*FULL NAME*]**

**Defendant/Youth**

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| Defendant/Youth |  | | | |
| **Full Name** | | | |
| Address |  | | | |
| **Street Address (including unit or level number and name of property if required)** | | | |
|  |  |  |  |
| **City/town/suburb** | **State** | **Postcode** | **Country** |
|  | | | |
| **Email address** | | | |
| Date of Birth/Licence no |  | |  | |
| **Date of Birth** | | **Driver’s Licence no (if any)** | |
| Phone Details |  | |  | |
| **Type (eg. Home; work; mobile) – Number** | | **Another number** | |

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| **Introduction**  **Hearing**  Hearing Location: [*suburb*]  [*Hearing date*] [*Listed starting time*]  Hearing type:  **Supreme and District Court only**  [*Actual hearing start time*] - [*Actual hearing end time*]  [*Presiding Officer*]  **Appearances**  [*Informant/R Appearance Information*]  [*Defendant/Youth Appearance Information*]  **Remarks**   * The Court has found the [*Defendant/Youth*] [*name*], guilty of an offence. * The Court is satisfied that a firearm, ammunition, firearm part, sound moderator or restricted firearm mechanism was involved in the commission of the offence. |

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| **Order**  **Date of Order**: [*date*]  **Terms of Order**  The Court Orders that:   * 1. orders that the following property of the [*Defendant/Youth*] be delivered into the custody of the [*Commissioner of Police/other person*] **includes offensive weapons and firearms under s 180 of the *Criminal Procedure Act 1921*** * for a period of [*no of years*] [*no of months*] [*no of days*]. * until further order. * 2. the firearms licence [licence number] held by the Defendant is: * subject to the following conditions: * **provision for multiple** [*description of condition*]. * suspended until [*date/further order*]. * cancelled. * 3. the Defendant is disqualified from holding or obtaining a licence until [*date/further order*]. * 4. orders that until further order the [*Defendant/Youth*] be subject to the Firearms Prohibition Order in the terms set out below * subject to the following amendments: **(see Firearms Act 2015 ss 66(3)(b) and 45(17))**  1. [*amendments in numbered paragraphs*]  * 5. orders that the [*Defendant/Youth*] be prohibited from possessing [*an offensive weapon of any kind/specify kind(s) of offensive weapon*] * for a period of [no of years] [no of months] [no of days]. * until further order. * 6. [*other orders*] |

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| **Firearm Prohibition Conditions** | |
| Subject to any exemptions set out above or in a notice in writing from the Registrar of Firearms, the following conditions are conditions of a Firearm Prohibition Order under section 45 of the *Firearms Act 2015*. | |
|  | Any licence or permit under the *Firearms Act 2015* held by the [*Defendant/Youth*] is suspended while the Firearm Prohibition Order is in force. |
|  | The [*Defendant/Youth*] must not acquire, possess or use a firearm (e.g. guns), a firearm part, a sound moderator or ammunition. |
|  | The [*Defendant/Youth*] must immediately surrender (hand in) to the Registrar of Firearms any and all firearms (e.g. guns), firearm parts, sound moderators and ammunition owned by them or in their possession. |
|  | The [*Defendant/Youth*] must not be present at:   1. the grounds of a firearms club, paintball operator or the range of a commercial range operator; 2. a shooting gallery; 3. an arms fair; 4. a place where a person carries on the business of repairing, modifying or testing firearms (e.g. guns), firearm parts or ammunition, or buying, selling or hiring out firearms, firearm parts or ammunition; 5. a place where a person manufactures a firearm, firearm part, or sound moderator; 6. a place where a person carries on the business of refurbishing firearms; or 7. any other place of a kind prescribed by regulation. |
|  | The [*Defendant/Youth*] must not become or remain a member of a firearms club. |
|  | The [*Defendant/Youth*] must not be in the company of a person who has physical possession or control of a firearm (e.g. guns). |
|  | The [*Defendant/Youth*] must not be present or reside at premises on which there is a firearm (e.g. guns), firearm part, sound moderator or ammunition. |
|  | The [*Defendant/Youth*] must inform each other person of or over the age of 18 years who resides or proposes to reside at the same premises of the fact that a Firearms Prohibition Order is in force against the [*Defendant/Youth*] and ask each such person whether or not they have or propose to have a firearm (e.g. guns), firearm part, sound moderator or ammunition on the premises. |
|  | Any person who supplies the [*Defendant/Youth*] with a firearm (e.g. guns), firearm part, a sound moderator or ammunition commits an offence. |
|  | Any person who permits the [*Defendant/Youth*] to gain possession of a firearm, firearm part, a sound moderator or ammunition commits an offence. |
|  | Any person who has physical possession or control of a firearm whilst in the [*Defendant/Youth*]’scompany commits an offence. |
|  | Any person who brings a firearm, firearm part, sound moderator or ammunition onto, or has possession of any such item on, the premises where the [*Defendant/Youth*] resides commits an offence. |
|  | If the [*Defendant/Youth*] changes address, the [*Defendant/Youth*] must give the Registrar of Firearms written notice of the new address within 7 days. |
|  | Any person who fails to or refuses, without reasonable excuse, to comply with a requirement by a police officer, who suspects on reasonable grounds is the subject of a Firearms Prohibition Order, to state their full name, address and date of birth and the full name of persons with whom they reside commits an offence. |

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| **To the Defendant/Youth: WARNING**  If you fail to comply with the terms of this order and the Firearm Prohibition Conditions, **you will be guilty of an offence and may be liable for a fine of up to [*$75,000/$2,500*] or up to [*15 years imprisonment/3 years detention*]***.* **lower fine and custody penalty auto selected if Youth Court**  Any person who fails to comply with term 10 of the Firearms Prohibition Order **also** **commits an offence and may be liable for a fine of up to [*$75,000/$2,500*] or up to [*15 years imprisonment/3 years detention*]***.* **lower fine and custody penalty auto selected if Youth Court** |

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| **Authentication**  …………………………………………  Signature of Court Officer  [*title and name*] |
| **Acknowledgement by [*Defendant/Youth*]**  I acknowledge that I have received a copy of this Firearms Order. I understand its effect and I understand what will happen if I fail to comply with this order.  …………………………………………  Signature of Defendant/Youth  …………………………………………  Full name of Defendant/Youth  ………………………….  Date  **Witness**  ………………………………………………  Signature of authorised witness  **witness must be the Judicial Officer making order, the registrar or deputy registrar of a Court, a justice of the peace, a police officer of or above the rank of sergeant or the responsible officer for a police station, the manager of a training centre if the Respondent is in a training centre, the person in charge of a prison if the Respondent is in a prison, or a delegate of any of these persons or any other person or class of persons specified by the Court**  **next item not displayed if witness is sentencing Judicial Officer**  ………………………………………….  Printed name and title of witness **stamp here if applicable**  ………………………….  Date |