

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>

ORDER – FIREARMS ORDER AND ACKNOWLEDGEMENT
Firearms Act 2015 s 66(2)

[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

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	

<p>Introduction</p> <p>Hearing</p> <p>Hearing Location: [Enter suburb] [Enter Hearing date]</p> <p>[Enter Presiding Officer]</p> <p>Appearances</p> <p>[Enter Informant/R Appearance Information] [Enter Defendant/Youth Appearance Information]</p> <p>Remarks</p>

- (a) The Court has formed the view that the *[Defendant/Youth]* *[name]*, who has possession of a firearm, ammunition, firearm part, sound moderator or restricted firearm mechanism, is not a fit and proper person to have possession of that item.

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))
 - (a) *[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]*.

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*.

1. Any licence or permit under the *Firearms Act 2015* held by the *[Defendant/Youth]* is suspended while the Firearm Prohibition Order is in force.
2. The *[Defendant/Youth]* must not acquire, possess or use a firearm (e.g. guns), a firearm part, a sound moderator or ammunition.
3. 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.
4. The *[Defendant/Youth]* must not be present at:
 - a. the grounds of a firearms club, paintball operator or the range of a commercial range operator;
 - b. a shooting gallery;
 - c. an arms fair;
 - d. 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;

- e. a place where a person manufactures a firearm, firearm part, or sound moderator;
 - f. a place where a person carries on the business of refurbishing firearms; or
 - g. any other place of a kind prescribed by regulation.
5. The [Defendant/Youth] must not become or remain a member of a firearms club.
 6. The [Defendant/Youth] must not be in the company of a person who has physical possession or control of a firearm (e.g. guns).
 7. 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.
 8. 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.
 9. Any person who supplies the [Defendant/Youth] with a firearm (e.g. guns), firearm part, a sound moderator or ammunition commits an offence.
 10. Any person who permits the [Defendant/Youth] to gain possession of a firearm, firearm part, a sound moderator or ammunition commits an offence.
 11. Any person who has physical possession or control of a firearm whilst in the [Defendant/Youth]'s company commits an offence.
 12. 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.
 13. If the [Defendant/Youth] changes address, the [Defendant/Youth] must give the Registrar of Firearms written notice of the new address within 7 days.
 14. 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.

Next warning box displayed unless Youth Court

To the Defendant: WARNING

If you fail to obey the terms of this order and if applicable the Firearm Prohibition Conditions, **you will be guilty of an offence and may be liable for a fine of up to \$75,000 or up to 15 years imprisonment.**

Any person who fails to obey term 10 of the Firearms Prohibition Order **also commits an offence and may be liable for a fine of up to \$75,000 or up to 15 years imprisonment.**

Next warning box displayed if Youth Court

To the Youth: WARNING

If you fail to obey the terms of this order and if applicable the Firearm Prohibition Conditions, **you will be guilty of an offence and may be liable for a fine of up to \$2,500 or up to 3 years detention.**

Any person who fails to obey term 10 of the Firearms Prohibition Order **also commits an offence and may be liable for a fine of up to 2,500 or up to 3 years detention.**

.....
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 a Judicial Officer, a registrar of the Court, or a justice of the peace

next item not displayed if witness is sentencing Judicial Officer

.....
Printed name and title of witness stamp here if applicable

.....
Date