

WS006 – Firearm and Tranquiliser Policy

1. POLICY CERTIFICATION

Policy title:	WS006 - Firearms Policy and Procedures
Policy number:	WS006
Category:	Policy
Classification:	Work Health & Safety
Status:	Approved 1 May 2013 (OCM)

2. PURPOSE

This policy outlines Roper Gulf Regional Council’s position on the use of firearms, tranquilisers and controlled drugs for the purposes of animal welfare and management.

3. ORGANISATIONAL SCOPE

This policy applies to all Roper Gulf Regional Council (RGRC) staff members.

4. POLICY STATEMENT

If circumstances warrant the use of a firearm for the lawful and humane destruction of an animal then this shall be carried out by an Authorised Officer. No employee of Roper Gulf Regional Council other than Authorised Officers who hold the appropriate licence, are authorised to take control and use firearms or controlled drugs for animal welfare purposes. Authorised Officers must comply with all applicable firearms and controlled substance law, and the provisions of this policy.

This policy is to be read in conjunction with the provisions of the National Firearms Safety Code and the Part 7 of the *Firearms Act*. All authorised officers will act in accordance with this legislation as well the *Animal Welfare Act*, the *Local Government Act*, and any applicable By-Law in the Roper Gulf Region. Individual authorised officers must uphold all licence requirements in accordance with all applicable law.

5. DEFINITIONS

Animal Management Officers (AMO)	Those Roper Gulf Regional Council employees that are employed for the purposes of animal management and is an “Authorised Officer” under both the <i>Animal Welfare Act</i> and the <i>Local Government Act</i> .
Authorised Officers	Authorised officers are the officers appointed by the Council for the purpose of administering and enforcing the By-Laws under the <i>Local Government Act</i> and any other statutory Act for which the Authorised Officer is authorised.
CEO	Chief Executive Officer
DCCS	Director of Council and Community Services
Employee licence	An Employee’s Licence permits a person to possess and use a firearm owned and registered by the holder of the Corporate Licence. The licence allows the employee only to use the firearm as part of his/her work duties

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	and not for any other purpose.
Firearm	<p>“firearm” means a device or part of a device (whether or not assembled, operable or temporarily or permanently inoperable) that is designed or adapted to discharge shot, a bullet or other projectile:</p> <ul style="list-style-type: none"> (a) by expanding gases produced in the device; or (b) by igniting combustible material; or (c) by compressed air or other compressed gases (whether stored in the device or attached to the device in pressurised containers). (s3 Interpretation, <i>Firearms Act</i>)
RGRC	Roper Gulf Regional Council

6. PRINCIPLES

6.1 Animal Management Officer

Animal Management Officers (AMO) are RGRC staff members who are appointed by the CEO to oversee animal welfare and management within the Roper Gulf Region. They are authorised by the *Animal Welfare Act* and *Local Government Act* for the purposes of the management and humane destruction of animals, and hold applicable training and veterinary qualifications.

An AMO is the ultimate decision maker pertaining to animal welfare matters, and they may delegate other staff members the function of assessing an animal’s welfare, and carrying out humane euthanasia if satisfied that the prospective staff member has received sufficient training, holds appropriate licencing, and demonstrates sufficient competence, judgement, mental constitution, and willingness to handle animal welfare matters in lieu of the AMO, should the AMO be unable to attend an animal welfare matter in person.

6.2 Firearms Licence

RGRC’s firearms are obtained and maintained for the purposes of animal management. RGRC holds a Corporate Firearms Licence for that purpose. All RGRC firearms must be stored, handled, and maintained according to applicable law.

Firearms safety and legislative compliance overrides all other operational considerations.

Any prospective user or handler of a RGRC firearm must hold a valid and applicable licence for the category of firearm for which they intend to use. Evidence of that licence must be provided to all of the following positions: the CEO, the Human Resource Manager, the Director of Council and Community Services (DCCS), and the AMO. The firearms user must carry their licence on their person whenever they carry, use, handle or otherwise interact with a firearm.

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RGRC takes firearms safety and compliance with applicable law very seriously. Any breaches or suspected breaches of this policy or applicable law will be followed up with immediate investigation and referral to Police if necessary.

6.3 Acquisition and Distribution of Firearms

RGRC holds a Corporate Firearms Licence, and owns firearms for the purpose of animal management. The CEO is the designated person for RGRC's Corporate Licence. The acquisition and distribution of firearms is an operational matter which is managed by the DCCS, who must ensure that applicable law is observed at all times, and prevails over operational concerns whenever there is a conflict.

All prospective firearms users must, in addition to obtaining their firearms licence (Employee), obtain approval from the CEO, DCCS, and AMO before using a RGRC firearm for the purposes of animal management.

The DCCS manages the acquisition, location, and distribution of RGRC firearms, however a licenced RGRC staff member must not use a firearm without approval of the AMO, who must be satisfied that the prospective user holds the appropriate competence and aptitude for the safe and humane use of a firearm for the purposes of animal management.

RGRC may obtain and maintain air or other compressed gas powered tranquiliser guns for the purposes of animal welfare and management. Tranquiliser guns are classified as firearms in the Northern Territory, and for the purposes of this policy, and must be treated as any other firearm. It should be noted that tranquiliser guns require a C-Class Firearms Licence (*Firearms Act – Schedule 4*), and the substance carried in their projectile may be a controlled drug.

Prospective users of a tranquiliser gun must comply with both the firearms, and the controlled substance law, and parts of this policy if they use projectiles loaded with controlled drugs or substances.

6.4 Carry or Storage

- All firearms and ammunition must be handled and stored according to law. Whenever an operational requirement conflicts with applicable law, it is the applicable law which prevails.
- RGRC firearms must not be handled or used by licenced persons who are not RGRC staff members without prior approval of the CEO, or DCCS, unless it is for the purposes of firearm maintenance by a licenced gunsmith, or for legislative compliance purposes.
- Unlicenced persons, whether RGRC employees or not, are not permitted to handle, use, or otherwise have access to RGRC firearms or ammunition.
- All firearms and ammunition are to be handled by licenced persons in a safe, appropriate, and legally compliant manner. Any suspected misuse or mishandling shall be promptly investigated as a serious misconduct matter, and may be referred onto Police as required.
- No firearm or ammunition that is not licenced to RGRC should be stored or carried in at any of the RGRC buildings at any time without prior approval from the DCCS.

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- No firearm or ammunition that is not licensed to RGRC should be transported in an RGRC vehicle during working hours without prior approval from the DCCS.

6.5 Controlled Substances/Drugs

- RGRC may procure controlled substances for the purposes of animal welfare and management.
- All controlled substances shall be procured, stored, handled, and used in accordance with the *Medicines, Poisons and Therapeutic Goods Act*, and all other applicable law, and shall be managed by the AMO, or delegate thereof.
- The AMO may delegate and authorise other persons to use a controlled substance for the purposes of animal welfare and management if they are satisfied that the prospective user holds applicable qualifications, has undergone applicable training, and has demonstrated sufficient competence, aptitude and willingness to use controlled substances for the purposes of animal welfare and management.
- Applicable law shall always prevail over operational requirements, and it is the responsibility of all RGRC staff members who handle, store, use, or manage controlled substances to ensure that they meet, document, and comply with applicable legislative requirements.

7. REFERENCES

Acknowledgements (original author/source documents)	<i>Local Government Act</i> Permit Information/ NT Police <i>Animal Welfare Act</i> <i>Medicines, Poisons and Therapeutic Goods Act</i> <i>Firearms Act</i>
Related Policies	WS003 – Work Health and safety Policy HR001 – Employee and Contractor Code of Conduct
Related Publications	<i>Nil</i>

8. DOCUMENT CONTROL

Policy number	WS006
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Endorsed by	OCM
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Revisions	July 2017
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Next revision due	June 2021

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9. CONTACT PERSON

Position

**Manager Governance and Corporate
Planning**

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