

FIREARMS APPEALS COMMITTEE APPLICATION FORM

INSTRUCTIONS

| | | | | | | | | | | | | | |
|--|--|-----------------|-----------------------------------|----------------------------|------------------------|--------------|--------------|--------------------|--------------------|--------|--------|--|--|
| Step 1: | Complete this form within 28 days of receiving a cancellation or refusal notice from Victoria Police. | | | | | | | | | | | | |
| Step 2: | Attach to this form a copy of the cancellation or refusal notice from Victoria Police. | | | | | | | | | | | | |
| Step 3: | <p>Send this form and the cancellation or refusal notice to BOTH (1) the Firearms Appeals Committee; and (2) Licensing and Regulation (LRD), Victoria Police. The contact details of these entities are as follows:</p> <table> <tr> <td>The Secretariat</td><td>Licensing and Regulation Division</td></tr> <tr> <td>Firearms Appeals Committee</td><td>Victoria Police Centre</td></tr> <tr> <td>GPO Box 4356</td><td>GPO Box 2807</td></tr> <tr> <td>MELBOURNE VIC 3001</td><td>MELBOURNE VIC 3001</td></tr> <tr> <td>Email:</td><td>Email:</td></tr> <tr> <td>firearmsappeals@justice.vic.gov.au</td><td>LRD-LEGALUNIT-MGR@police.vic.gov.au</td></tr> </table> | The Secretariat | Licensing and Regulation Division | Firearms Appeals Committee | Victoria Police Centre | GPO Box 4356 | GPO Box 2807 | MELBOURNE VIC 3001 | MELBOURNE VIC 3001 | Email: | Email: | firearmsappeals@justice.vic.gov.au | LRD-LEGALUNIT-MGR@police.vic.gov.au |
| The Secretariat | Licensing and Regulation Division | | | | | | | | | | | | |
| Firearms Appeals Committee | Victoria Police Centre | | | | | | | | | | | | |
| GPO Box 4356 | GPO Box 2807 | | | | | | | | | | | | |
| MELBOURNE VIC 3001 | MELBOURNE VIC 3001 | | | | | | | | | | | | |
| Email: | Email: | | | | | | | | | | | | |
| firearmsappeals@justice.vic.gov.au | LRD-LEGALUNIT-MGR@police.vic.gov.au | | | | | | | | | | | | |
| Step 4: | <p>Payment: You are required to make payment within 30 days of providing this form to the Committee and LRD. If you do not do so, your application may be refused or struck out.</p> <p>The prescribed fee for the appeal application is \$47.70.</p> <p>This fee is non-refundable. There are two payment options, as set out in Part 5 to this form.</p> | | | | | | | | | | | | |

PART 1A: APPLICANT CONTACT DETAILS

| | | | |
|-----------------|--|----------------|--|
| First Name: | | Last Name: | |
| Street address: | | | |
| Suburb: | | Postcode: | |
| Email: | | | |
| Home phone: | | Mobile Number: | |

Please note: it is important that you include a valid email address that is checked regularly because the Committee will typically communicate with parties electronically (unless a request is made by a party for a different mode of communication). If you have any questions or concerns about this, or if you do not have an email address to provide, please contact the Committee Secretariat to discuss your options.

PART 1B: LEGAL REPRESENTATIVE CONTACT DETAILS

| | | | |
|----------------------------------|--|--------------------------|--|
| Are you represented by a lawyer? | <input type="checkbox"/> Yes <input type="checkbox"/> No | Name of lawyer/law firm: | |
| Lawyer's phone number: | | Lawyer's email: | |

PART 2: APPLICANT ELIGIBILITY

To your knowledge, are you currently a 'prohibited person' as that term is defined in s 3 of the *Firearms Act 1996* (Vic)? ☐ Yes ☐ No

If in doubt about the correct answer to this question, please:

- (i) read the definition of 'prohibited person' set out in s 3 of the *Firearms Act 1996* (Vic);
- (ii) answer the questions set out in Appendix A to this form;
- (iii) consider seeking independent legal advice about whether you are a 'prohibited person';
- and/or
- (iv) contact the Committee Secretariat to discuss your prohibited person status.

Are you currently a vexatious litigant as declared pursuant to s 21 of the *Supreme Court Act 1986* (Vic) (now repealed)? ☐ Yes ☐ No

Are you currently the subject of a litigation restraint order (of any kind) made pursuant to the *Vexatious Proceedings Act 2014* (Vic)? ☐ Yes ☐ No

PART 3: APPEAL DETAILS

***** Please attach a copy of the Cancellation / Refusal Notice to this Application *****

| | |
|--|---|
| Date that the cancellation / refusal notice was served on you: | |
| Was your firearms licence: | <input type="checkbox"/> Cancelled <input type="checkbox"/> Refused <input type="checkbox"/> Conditions Imposed |
| Type of licence/s that is the subject of this appeal | Licence / Authority / Permit Number |
| | |
| | |
| | |
| | |

PART 4: NATURE AND GROUNDS FOR APPEAL

[illegible]

PART 5: PAYMENT

The prescribed fee for the appeal application is **\$47.70**. The fee is non-refundable. There are two payment options:

1. Australian Money Order – Enclose a money order with your application in the mail. Money orders can be obtained from Australia Post. Please refer to Australia Post for the current fee.
2. Bank Cheque – Enclose a bank cheque with your appeal application in the mail. Bank cheques can be obtained from your bank. Please refer to your bank for current fees.

Your appeal application will not be processed until payment is made.

You are required to make payment within 30 days of providing this form to the Committee and LRD. If you do not do so, your application may be refused or struck out.

The Committee cannot accept cash payments or personal cheques.

I have enclosed an Australian Money Order ☐ Yes

I have enclosed a Bank Cheque ☐ Yes

PART 6: APPLICANT'S DECLARATION

Privacy Statement: The information collected in this application and any supporting documents are being collected by the Firearms Appeals Committee. The information and documents you provide to the Committee may be disclosed to Victoria Police, approved bodies, government departments and other statutory authorities. The information you provide will be used in accordance with the provisions of the *Firearms Act 1996*, the *Privacy and Data Protection Act 2014*, the *Health Records Act 2001* and any other relevant legislation.

Please ensure that you have read the Privacy Statement before signing the declaration below.

I declare that the information provided in this application and any supporting documents are true and correct:

| | |
|-------------------------|--|
| Signature of Applicant: | |
| Date: | |

APPENDIX A – MATTERS THAT MAY BEAR ON WHETHER AN APPLICANT IS A PROHIBITED PERSON

This is a checklist of matters that has been prepared to assist applicants to identify whether they may be a 'prohibited person' as that term is defined in s 3 of the *Firearms Act 1996* (Vic). This is not an exhaustive list of factors, and it does not constitute legal advice.

If you are in doubt about whether you are a 'prohibited person', please:

- (i) consider seeking independent legal advice about this issue; and/or
- (ii) contact the Committee Secretariat to discuss the matter.

Do you currently have outstanding criminal law or VCAT matters (namely, criminal law or VCAT proceedings that are currently in progress)?

If yes, please provide details (you may attach documents to your application).

☐ Yes ☐ No

Are you currently, or in the past five years have you been, subject to any of the following?

- an intervention order;
- a final order under the *Family Violence Protection Act 2008*, or a final domestic violence order;
- a community correction order with a supervision condition attached under s 48E of the *Sentencing Act 1991*;
- a supervision order under s 26 or s 38ZH of the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997.

☐ Yes ☐ No

If yes, please provide details (you may attach documents to your application).

In the past five years, have you served a term of imprisonment in respect of any of the following?

- an indictable offence;
- an assault
- an offence under the *Drugs, Poisons and Controlled Substances Act 1981* (or equivalent legislation in another State or Territory);
- an offence under the *Control of Weapons Act 1990* (or equivalent legislation in another State or Territory).

☐ Yes ☐ No

If yes, please provide details (you may attach documents to your application).

Are you currently a 'declared individual' within the meaning of the *Criminal Organisations Control Act 2012*?

If yes, please provide details (you may attach documents to your application).

☐ Yes ☐ No

Are you currently subject to either a supervision order or an interim supervision order, under the *Serious Offenders Act 2018*?

If yes, please provide details (you may attach documents to your application).

☐ Yes ☐ No

In the past 12 months, have you been found guilty by a court in Australia of any of the following?

- an offence against the *Firearms Act 1996* (Vic) (in relation to which it was open to the court to impose a term of imprisonment);
- an offence against any other Act involving the possession or use of firearms and in relation to which it was open to the court to impose a term of imprisonment;
- an indictable offence.

☐ Yes ☐ No

If yes, please provide details (you may attach documents to your application).

If you have answered 'Yes' to any of these questions, have you made an application under s 189 of the *Firearms Act 1996* (Vic) to be deemed not to be a prohibited person?

If yes, please provide details (you may attach documents to your application).