



## **CORPORATE POLICY STATEMENT NO. 21**

### **USE OF FIREARMS BY NON-DEPARTMENTAL PERSONS**

November 2020

#### **1. OBJECTIVE**

To provide policy direction on the appropriate management, storage and safe, lawful and ethical use of firearms and ammunition by non-departmental persons when performing authorised operations in conjunction with, on behalf of, or, under licence from the Department of Biodiversity, Conservation and Attractions (the department).

#### **2. SCOPE**

Non-departmental persons comprise, but are not limited to, people from recognised recreational hunting and shooting groups, biosecurity groups, volunteers, caretakers, commercial and professional shooters, contractors, and officers from other government agencies.

The policy applies to designated areas (lands and marine) managed by the department under the *Conservation and Land Management Act 1984* (CALM Act), *Swan and Canning Rivers Management Act 2006* (SCRM Act) and other lands for which the department has responsibilities. It also applies to the use of firearms by individuals authorised to 'take fauna' under the *Biodiversity Conservation Act 2016* (BC Act) on areas managed by the department.

The use of firearms for Aboriginal customary hunting activities is guided by [Corporate Policy Statement No. 86: Aboriginal Customary Activities](#) and [Corporate Guideline No. 22: Aboriginal Customary Activities](#). The department's Health, Safety and Wellbeing Section has developed the Aboriginal Customary Activities – Firearm Use and Employee Safety guideline which provides health and safety advice for people working in areas where firearms may be used for customary activities. The use of firearms by departmental employees under the department's corporate firearms licence is addressed in the [Corporate Policy Statement No. 20: Departmental Use of Firearms](#) and is therefore not covered by this policy.

#### **3. CONTEXT**

The department uses firearms to perform its functions under various legislation that it administers (CALM, BC and SCRM Acts), as well as authorities afforded under legislation administered by other agencies. The department works with non-departmental persons to conduct various activities involving the use of firearms including but not limited to the humane destruction of pest animals, fauna research, euthanasing injured/suffering animals and destruction of dangerous wildlife. The department also has responsibility for overseeing the commercial harvesting of fauna which involves the use of firearms.

#### 4. LEGISLATION

The department has responsibilities for the conservation and protection of flora and fauna throughout the State under the provisions of the Biodiversity Act and via the functions of the CEO under section 33(1)(d) of the CALM Act. For land managed under the CALM Act, SCRM Act and *Land Administration Act 1997* these responsibilities are typically integrated into departmental activities through management plans, interim management guidelines or as a necessary operation under section 33(3)(b) of the CALM Act.

The department has a strong commitment to meeting its obligations under the *Occupational Safety and Health Act 1984* by providing a safe, and as far as is practicable, hazard free environment for its employees, volunteers, contractors and other individuals and groups that support the department's operations. The department also has a duty of care to visitors and takes all reasonable measures to ensure that visitors are not exposed to undue risk when firearms are being used.

Legislation that is directly applicable to this policy includes, but is not limited to:

- *Firearms Act 1973 and Firearms Regulations 1974;*
- *Dangerous Goods Safety Act 2004;*
- *Explosives and Dangerous Goods Act 1961; and*
- *Occupational Safety and Health Act 1984.*

#### 5. POLICY

The department will:

- 5.1 Engage and allow for non-departmental persons to use their firearms to support operations that help achieve the department's strategic goals.
- 5.2 Require that the use of firearms by non-departmental persons is performed in a safe, professional and ethical manner consistent with relevant departmental policies and procedures.
- 5.3 Require that non-departmental firearm users have the relevant licences, legal authorisations and competencies commensurate with the required shooting activity.
- 5.4 Maintain records of authorised external firearms users and any shooting activities that they perform.
- 5.5 Only authorise firearm operations on lands and marine areas managed by the department. Consent to discharge firearms on non-departmental lands must be obtained from the owner/occupier.

#### 6. STANDARDS

The use of firearms is considered to carry a high level of corporate risk because of the potential for injury or death to people, damage to property, animal welfare issues resulting from the inappropriate use of firearms, loss of public confidence and litigation. In order to mitigate these risks, the department applies the international standard ISO 31000:2018 – Risk Management Guidelines in regard to the use of firearms by non-departmental persons.

## 7. POLICY IMPLEMENTATION STRATEGIES

The department will:

- 7.1 Comply with all relevant legislation and policies when engaging non-departmental persons to perform operations using firearms.
- 7.2 Apply the principles, framework and process as prescribed in the international standard ISO 31000:2018 – Risk Management Guidelines and [Corporate Policy Statement No. 56: Risk Management](#) when engaging non-departmental persons to support departmental operations through the use of firearms.
- 7.3 Enter into formal arrangements for the use of firearms on department-managed lands and marine areas with external organisations through the use of memoranda of understanding (MOU) and 'Shoot Plans'.
- 7.4 Advise the required instructions, standards and competency levels for non-departmental persons using firearms when supporting department operations.
- 7.5 Ensure that only those individuals who are either:
  - a. registered with and undertaking feral animal shooting operations as part of an organisation (e.g. government agencies and recognised recreational hunting or shooting groups) who are operating under an MOU; or
  - b. who are licensed to harvest fauna commercially; or
  - c. registered volunteers or caretakers performing operations on behalf of the department are authorised to use privately-owned firearms on department-managed lands and marine areas.
- 7.6 Conduct periodic checks to ensure that non-departmental persons using firearms for authorised departmental operations are complying with the requirements of this policy.

## 8. CUSTODIAN

Executive Director Regional and Fire Management Services.

## 9. PUBLICATION

This policy will be made available on the department's website and intranet.

## 10. REVIEW

This policy will be reviewed no later than five years from the date of approval.

## 11. DIRECTOR GENERAL APPROVAL

Approved by



Mark Webb  
DIRECTOR GENERAL

Effective date: 8 November 2020