

South Australia

Firearms (Digital Blueprints for 3D Printing) Amendment Act 2025

An Act to amend the *Firearms Act 2015* and to make related amendments to the *Summary Offences Act 1953*.

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement

Part 2—Amendment of *Firearms Act 2015*

- 3 Insertion of section 37A
 - 37A Possession of digital blueprint for firearms etc

Schedule 1—Related amendment of *Summary Offences Act 1953*

- 1 Amendment of section 74BN—Interpretation
 - 2 Amendment of section 74BR—Order to provide information or assistance to access data held on computer etc
 - 3 Amendment of section 74BS—Application for order
 - 4 Amendment of section 74BT—Order required in urgent circumstances
 - 5 Amendment of section 74BW—Effect and operation of order
 - 6 Amendment of section 74BY—Reporting
-

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Firearms (Digital Blueprints for 3D Printing) Amendment Act 2025*.

2—Commencement

This Act comes into operation on a day to be fixed by proclamation.

Part 2—Amendment of *Firearms Act 2015*

3—Insertion of section 37A

After section 37 insert:

37A—Possession of digital blueprint for firearms etc

- (1) This section applies to the following items:
 - (a) a firearm;
 - (b) a firearm part;
 - (c) a prohibited firearm accessory;
 - (d) a sound moderator;
 - (e) a restricted firearm mechanism.
- (2) A person who possesses a digital blueprint for an item to which this section applies is guilty of an offence.
- (3) Subsection (2) does not apply to a person if—
 - (a) the person is authorised by a licence, or is otherwise permitted under this Act, to manufacture the item that the digital blueprint is for; or
 - (b) the person possesses the digital blueprint for the purposes of official duties connected with—
 - (i) enforcing or administering a law of the State, or of another State, a Territory or the Commonwealth; or
 - (ii) monitoring compliance with, or investigating a contravention of, a law of the State, or of another State, a Territory or the Commonwealth; or
 - (iii) the administration of the justice system.
- (4) It is a defence to a charge of an offence under subsection (2) to prove that—
 - (a) the defendant did not know, and could not reasonably be expected to have known, that the defendant possessed the digital blueprint; or
 - (b) the digital blueprint came into the defendant's possession unsolicited and the defendant, as soon as they became aware of its nature, took reasonable steps to ensure that the digital blueprint ceased to be in the defendant's possession; or
 - (c) the digital blueprint in the defendant's possession relates to a firearm legally owned or possessed by the defendant; or
 - (d) the possession of the digital blueprint by the defendant—

- (i) was necessary for, or of assistance in, conducting scientific, medical, educational, military or law enforcement research that has been approved by the Registrar in writing for the purposes of this section; and
 - (ii) did not contravene any conditions of that approval.
- (5) The maximum penalty for an offence under this section is as follows:
 - (a) in the case of a digital blueprint for a firearm or firearm part—
 - (i) if the blueprint is for a prescribed firearm or a firearm part for a prescribed firearm—\$75 000 or imprisonment for 15 years;
 - (ii) if the blueprint is for a category C, D or H firearm or a firearm part for a category C, D or H firearm—\$50 000 or imprisonment for 10 years;
 - (iii) if the blueprint is for any other kind of firearm or firearm part—\$35 000 or imprisonment for 7 years;
 - (b) in the case of a digital blueprint for a sound moderator, a restricted firearm mechanism or a prohibited firearm accessory—\$35 000 or imprisonment for 7 years.
- (6) A person may, at the discretion of the prosecutor, be prosecuted for a summary offence except where the digital blueprint is for a prescribed firearm or a firearm part for a prescribed firearm, but on conviction of a summary offence under this section the maximum penalty is \$10 000 or imprisonment for 2 years.
- (7) For the purposes of subsection (5), if a firearm part that could be manufactured from a digital blueprint in the possession of a person may, when combined with—
 - (a) 1 or more firearm parts in the possession of the person; or
 - (b) 1 or more firearm parts that could be manufactured from digital blueprints in the possession of the person; or
 - (c) any combination of firearm parts referred to in a preceding paragraph,be assembled into a firearm of a particular kind or category, the digital blueprint will be taken to be for a firearm part for a firearm of that kind or category.
- (8) If a digital blueprint could be taken to be a digital blueprint for a firearm part for a firearm of more than 1 kind or category pursuant to subsection (7), the digital blueprint will be taken to be a digital blueprint for a firearm part for the kind or category of firearm in relation to which the most serious penalty under subsection (5)(a) would apply.

(9) In this section—

computer includes a tablet, mobile phone and any other electronic device that is capable of connecting to the internet;

digital blueprint, in relation to an item, means—

- (a) any type of digital or electronic reproduction of a technical drawing; or
- (b) any electronic coding; or
- (c) any computer aided design,

by the application of which, in combination with a 3D printer, an application of 3D printer technology or an electronic milling machine, the item may be manufactured;

possession, in relation to a digital blueprint, includes the following:

- (a) possession of a computer or data storage device holding or containing the blueprint;
- (b) possession of a document in which the blueprint is recorded;
- (c) control of the blueprint—
 - (i) held in a computer or data storage device that is in the possession of another person (whether the computer or data storage device is in this or any other jurisdiction); or
 - (ii) held on a remote computer or remote data storage device (for example, a cloud storage system) that is accessible from a computer or data storage device (whether the remote computer or remote data storage device is in this or any other jurisdiction).

Schedule 1—Related amendment of *Summary Offences Act 1953*

1—Amendment of section 74BN—Interpretation

Section 74BN(1)—after the definition of *data storage device* insert:

prescribed offence means—

- (a) a child exploitation offence; or
- (b) an offence against section 37A of the *Firearms Act 2015*.

2—Amendment of section 74BR—Order to provide information or assistance to access data held on computer etc

Section 74BR(3)—delete "child exploitation" wherever occurring and substitute in each case:

prescribed

3—Amendment of section 74BS—Application for order

Section 74BS(1)(c)—delete "child exploitation" and substitute:
prescribed

4—Amendment of section 74BT—Order required in urgent circumstances

Section 74BT(1)—delete "child exploitation" and substitute:
prescribed

5—Amendment of section 74BW—Effect and operation of order

- (1) Section 74BW(3)—after "evidence or information" wherever occurring insert:
relating to a child exploitation offence
- (2) Section 74BW(3)—after "under this Part" first occurring insert:
made in relation to such an offence
- (3) Section 74BW—after subsection (3) insert:
 - (3a) Despite any other Act or law, evidence or information relating to an offence against section 37A of the *Firearms Act 2015* obtained by the lawful exercise of powers pursuant to an order under this Part made in relation to such an offence, and evidence or information relating to an offence against section 37A of the *Firearms Act 2015* obtained incidentally to such an exercise of powers—
 - (a) may be used by law enforcement and prosecution authorities for the purposes of investigating and prosecuting any offence against section 37A of the *Firearms Act 2015*; and
 - (b) is not inadmissible in proceedings before a court in relation to an offence against section 37A of the *Firearms Act 2015* merely because the order under this Part was obtained in respect of a different offence against that section.

6—Amendment of section 74BY—Reporting

- (1) Section 74BY(1)(c)(i)—delete "child exploitation" and substitute:
prescribed
- (2) Section 74BY(1)(d)—delete "child exploitation" and substitute:
prescribed