



GRIFFITHS PARRY
LAWYERS & NOTARY

Honest Different Clever
established 1974

Regatta Lake Commercial 6 Innovation Parkway Birtinya QLD 4575
PO Box 1515 Buddina QLD 4575

☎ 07 5390 1400 📠 07 5390 1499

🌐 gplaw.com.au ✉ enquiries@gplaw.com.au



A safety catch for your legacy. How to keep your wishes (and firearms) lawful, secure and stress-free.

What happens to your rifles and shotguns when you're no longer here? Hard question, simple aim: keep your family safe, stay on the right side of the law, and honour what those firearms meant to you.

Recent events in Bondi have been a confronting reminder of how seriously the community views firearm safety. For lawful firearm owners, this reinforces the importance of careful planning (not just during your lifetime, but also for what happens after death) so firearms are stored, transferred, or surrendered safely and lawfully.

THE GIST - What Queensland law requires

- Only **properly licensed people** can possess firearms, even after the owner dies.
- A Will that specifically bequeaths each firearm to a named, **licensed** Beneficiary can streamline transfer (often without a separate permit-to-acquire).
- A licensed person or dealer can temporarily hold firearms for the Estate (commonly up to six months) so they remain secure while transfers or the sale of the guns proceeds.
- If a Beneficiary wants an inoperable "heirloom" only, a collector licence (heirloom) may be available subject to strict conditions.

separate Permit to Acquire (PTA). If they're not named (or not eligible), they'll need a PTA during the Probate phase of administration of the Estate.

Tell QPS promptly

Under Queensland's Weapons Act, an Executor or next of kin should quickly alert QPS Weapons Licensing that a licence holder has died and that firearms are part of the Estate. There's a QPS Deceased Estate Enquiry Form to start the lawful pathway for transfer, sale, or surrender.

Why planning your firearms in your Will matters

Queensland law treats firearms very differently from your grandfather clock or photo albums. When a firearms owner in Queensland dies, guns don't automatically pass to the next of kin. In the shock of grief, families often learn they can't simply "hold onto Dad's guns." Without a clear legal plan, firearms can quickly become a stressful and risky burden. This isn't paperwork; it's safety, legality, and care for the people you love.

Queensland's requirements for firearms in estates

Only licensed people can possess firearms

If your Will **names** a beneficiary and they hold the **appropriate licence**, transfer can proceed **without** a



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Safe storage during the transition

Queensland law allows a licensed person to hold the firearms temporarily for up to six months (safekeeping). After that, the firearms must be lawfully disposed of by way of transfer to a licensed holder, sold via a registered dealer or surrendered to police. Dealers or armourers can store firearms indefinitely—useful if your family needs more time.

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Heirlooms and collectors (when the value is sentimental, not practical)

Another pathway is Queensland's heirloom firearms option. If a Beneficiary wants a gun for sentimental purposes and the gun is not to be used, they can apply for a Collector's (heirloom) licence. Once the firearm is made permanently inoperable (for example, via a metal locking bar or welding so it can't fire), they can keep it lawfully without a standard licence. Strict storage rules still apply. It's a way to keep great-grandad's rifle as history, not hardware.

Amnesty: The safety net

Surrendering a firearm

Australia's Permanent National Firearms Amnesty lets you surrender unregistered or unwanted firearms without penalty. It is also intended to specifically protect you from prosecution if you're in possession for the purpose of handing them in.

In Queensland, you can surrender it (no questions asked) at a licensed dealer or your nearest police station.

Handing in guns for destruction is **free**.

For locations, see the QPS list of approved Queensland firearms dealers.

Registering a firearm

If you want to register instead, fees may apply (licensing, registration, and a Permit to Acquire). While the paperwork is processed, the firearm is stored at an approved location and you cannot possess it.

- **No licence?** Apply for a QLD firearms licence (a genuine reason is required), then apply for a PTA for that firearm.
- **Have a licence?** Ensure the firearm fits your category (or update it), apply for a PTA, and complete the transfer through a licensed dealer.

One licence, one genuine reason; one firearm, one PTA.

The risks of no plan

- **Legal trouble:** Unlicensed family members who take possession of your guns (even just to "keep them safe") are committing a serious offence and face severe penalties.
- **Safety hazards:** Grieving relatives unfamiliar with firearms may handle them unsafely. The QPS officials have cited cases of bereaved families so unsure of what to do that they disassembled a firearm and stashed its pieces around the house.
- **Theft and misuse:** An empty house with unsecured firearms is a prime target for thieves. QPS warns that guns stolen from deceased estates often end up in criminal hands.
- **Loss of assets:** Without clear instructions, your cherished and valuable firearms may end up being surrendered to the police and destroyed, simply because your family had no legal or practical way to manage them.

These stories underscore a hard truth: without a clear plan, your cherished firearms could be a misfire waiting to happen or land in the wrong hands.



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Own a firearm?

Here are some practical steps you can take today:

1. **List each firearm** (make, model, serial, category). Keep the list with your important papers.
2. **Choose your beneficiary** (per firearm if needed). Confirm they **already hold** or can obtain the **right licence category**. If not, consider naming a licensed friend/relative or **direct sale via dealer**.
3. **Update your Will** to **explicitly bequeath** the firearms (referencing each item). This can streamline transfer **without a PTA** for the named, appropriately licensed beneficiary.
4. **Nominate a safekeeping contact** (licensed person or dealer) your Executor can call in the first 24–48 hours.
5. **Tell your Executor** where the safe is, how it opens, and who to call at QPS Weapons Licensing (and give them your list).
6. **Clean up grey areas:** register anything unregistered or, if it's unwanted/unknown, organise surrender under the **amnesty**.
7. **Consider the heirloom path** for a single sentimental piece (inoperable, on an appropriate collector licence).

The bigger picture

Good planning keeps your people calm, your legacy clean, and your sport respected. It's responsible ownership carried through to the end; one last safeguard for the people you love and the community you're part of.



Don't have a Will yet?

Get in touch with our Estates team and we'll help you put everything in place clearly, lawfully, and with care.

☎ 07 5390 1400

✉ enquiries@gplaw.com.au

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