



Our Ref:
Your Ref:
Office: Perth
Date: 1 April 2025

To whom it may concern,

RE: Native title rights and the *Firearms Act 2024* – advice for RNTBCs

In response to concerns raised with Yamatji Marlpa Aboriginal Corporation (YMAC) relating to the introduction of the *Firearms Act 2024* (2024 Act), our staff have been working hard to seek clarity on the potential impacts the new laws might have on people exercising their native title rights, as well as what the legislation means for Registered Native Title Bodies Corporate (RNTBCs).

To help your RNTBC understand and prepare for the implementation of the 2024 Act, YMAC provides the following and attached information, which we hope you find comprehensive and useful.

Background and summary of concerns about 2024 Act and native title

The 2024 Act replaces the *Firearms Act 1973* (1973 Act), aiming to close a number of the earlier act's 'loopholes' and reduce the number of unnecessary firearms in the community.

Changes to where permissions apply

Previously, people wishing to use firearms to hunt under the 1973 Act were required to obtain permission from a landholder to be able to hunt on their property. However, once a landholder had approved a person to hunt, the person could obtain a firearms licence and a firearm, and could then use the firearm to hunt *anywhere* in Western Australia they had access (subject to safety and other restrictions). It was also found that some individual landholders sold hunting permissions to thousands of people; allowing them to obtain a firearms licence and hunt anywhere.

The 2024 Act continues to require a person wishing to obtain a firearms hunting licence to have permission to be able to use firearms to hunt on land, but that permission now will only allow them to use firearms on that *particular land*. This means, permission to hunt under the 2024 Act only allows a person to use firearms to hunt on a specified area of land that is described in the permission. A person cannot use a firearm to hunt on land where they do not have specific permission.

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Yamatji Marlpa
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Changes to who provides permissions

Under the 2024 Act, only an “authorised person” can give permission to hunt over particular land. Authorised persons are the “occupier” of the land, who is defined as the person with “exclusive control” of the land, or people prescribed by regulations.

While some determinations of native title recognise a right of exclusive possession, which would satisfy the definition of “occupier” under the 2024 Act, most determinations include large areas where only non-exclusive rights are recognised. In almost all of these areas, no person has “exclusive control”, and so there is no “occupier” to give permission to hunt. This meant that, in a large portion of Western Australia, the 2024 Act would make it impossible for Native Title Holders to legally hunt with firearms on their Country.

Following the concerns raised with YMAC, we wrote to the WA Minister for Police and Commissioner of Police raising these issues. YMAC staff then met with representatives of WA Police and spoke with lawyers for the State Government about the potential for the 2024 Act stopping Native Title Holders from being able to use firearms when exercising their right to hunt.

As a result of this engagement, in February 2025, the State Government introduced amendments to the [Firearms Regulations 2024](#), which prescribe RNTBCs (and Registered Native Title Claimants (RNTCs))¹ as being able eligible to register as an “authorised person” to provide permissions to individuals to use firearms to hunt in areas of their native title determination/s (or registered native title claim).

Please see attached, the quick Q&A guide YMAC has created for RNTBCs, which provides responses to several anticipated questions regarding changes in the 2024 Act.

When do the changes come into effect?

The 2024 Act commenced Monday, 31 March 2025.

As mentioned, the restrictions on who can hold a firearms licence has tightened. This means some people who were allowed to have firearms under the 1973 Act, will not be allowed to hold a firearms licence under the 2024 Act. Their licences will be cancelled as of 31 March 2025, and they must surrender or otherwise dispose of their firearms by that date².

For people who are still allowed to hold a hunting licence under the 1973 Act, their existing licence will continue to be valid until its expiry date. A person wishing to renew their licence under the 2024 Act, will need to comply with the new laws. Existing permission letters are no longer valid, and people wishing to hunt on land will need to obtain permission to hunt from an authorised person in relation to that land. People who wish to enable people to hunt on land they are responsible for must register their land, to be able to grant permissions.

¹ For simplicity, we will refer to RNTBCs and determinations throughout this advice. However, unless otherwise specified, all things that can be done by an RNTBC in relation to their determination can also be done by an RNTC in relation to their claim.

² YMAC understands WA Police sought to provide three (3) months’ notice to people in this position.

What does this mean for RNTBCs?

As mentioned, RNTBCs (and Registered Native Title Claimants (RNTCs))³ are eligible to register as an “authorised person” to provide permissions to individuals to use firearms to hunt in areas of their native title determination/s (or registered native title claim).

RNTBCs who decide to become an “authorised person”, who can issue hunting permissions in relation to their native title determination area must register their determination with WA Police.

Native Title Holders who wish to use firearms to hunt on the area of their native title determination can then seek to obtain the permission to do so from the RNTBC.

Please see attached, the guide YMAC has developed for RNTBCs on how to register and, once approved, issue permissions for people to be able to hunt on Country with firearms.

What does this mean for Native Title Holders (aka Common Law Holders)?

Native Title Holders will need to obtain a permission under the 2024 Act to be able to hunt on their Country. Native Title Holders may be able to obtain this permission from their RNTBC, provided the RNTBC is registered as an “authorised person”.

Just as with hunting under the 1973 Act, a Native Title Holder who has a permission under the 2024 Act to hunt on land must still engage with other people with interests in the land (e.g. pastoralists) to ensure that the hunting is conducted safely and without interfering with other people’s lawful use of the land. Native Title Holders may also need to consider the terms of any Indigenous Land Use Agreement or other land access agreement when hunting on Country.

Standard and temporary hunting permissions

The 2024 Act and Regulations allow for “standard hunting permissions” and “temporary hunting permissions”. A person must have at least one standard hunting permission to be able to be granted a hunting licence. However, “authorised persons” are only able to issue a limited number of standard hunting permissions. By contrast, an authorised person may issue any number of temporary hunting permissions, but they last no longer than 14 days. More details about standard hunting permissions and temporary hunting permissions is provided in the guide attached to this letter.

Questions and impacts as the 2024 Act is implemented

This letter and attachments are a reflection of the questions and concerns raised with YMAC by RNTBCs and community members over the last few months.

³ For simplicity, we will refer to RNTBCs and determinations throughout this advice. However, unless otherwise specified, all things that can be done by an RNTBC in relation to their determination can also be done by an RNTC in relation to their claim.

In preparing these materials, we have elected to not expand/elaborate on information applicable to everyone, and that is readily available on the WA Police website. In these instances, we have opted to refer to the publicly available information.

Further, YMAC is aware that WA Police are still working on updates to its [portal](#) to accommodate some authorised persons (including RNTBCs). Because of this, some of the information in this correspondence will soon become out of date. The information has therefore been prepared in the hope it will assist RNTBCs and Traditional Owners as an interim measure.

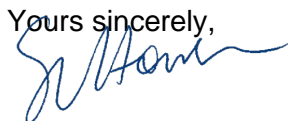
Finally, as we are all aware, native title is complicated, with each determination reflecting the complex relationships between Native Title Holders and Country across the state. This may mean RNTBCs and Native Title Holders encounter challenges in the roll out of these new laws.

If your RNTBC has further questions or concerns regarding the 2024 Act (including those specific to native title), we encourage you to contact WA Police (E: LicensingServices@police.wa.gov.au; P: 1300 894 474 or 1300 171 011).

YMAC is also keen to monitor any impacts of the new laws on Traditional Owners and RNTBCs in our representative regions. So, please feel welcome to contact us should you wish to share any challenges encountered in the roll out by emailing ceo@ymac.org.au.

Any further updates of relevance received by WA Police will be shared by YMAC on our website and through our monthly [PBC eNews](#), if the information is specific to RNTBCs.

Again, on behalf of YMAC, we hope the information provided assists your RNTBC in navigating the transition to the 2024 Act.

Yours sincerely,


Simon Hawkins

Chief Executive Officer