

## **Factsheet: Firearms Prohibition Orders (FPOs)**

### **What is a Firearms Prohibition Order?**

A Firearms Prohibition Order or 'FPO' is an order that NSW Police can make if they are worried about someone having a 'firearm'. It gives police extra search powers and means that extra fines or jail time apply if that person gets a firearm, or does certain other things related to firearms.

'Firearms' include gun parts and ammunition (bullets), as well as things like replica guns, BB guns and gel blasters.

If you have an FPO, anyone who sells or gives you a firearm, firearm part or ammunition, knowing that you have an FPO, can also face extra jail time.

### **When can police make an FPO?**

Police can make an FPO against you if they believe it is not 'in the public interest' for you to have a firearm. This is a very broad test.

In deciding whether to make an FPO against a person, police may look at things like their criminal record, or whether they have spent time with people who have a criminal record or gang connections.

Police do not need to prove that you have ever had a firearm or been charged with a firearms offence.

Police must personally give you a copy of the FPO if it is made against you. You can be given an FPO while you are in custody. The FPO starts from the time police give you a copy of the FPO.

### **What powers do police have under an FPO?**

If police make an FPO against you:

- police can stop, detain and search you on the street at any time;
- police can search any place you live in, or the car you are travelling in, at any time;
- you cannot live at a place where there are firearms, ammunition or firearms parts (pieces of guns like a barrel or trigger); and
- you cannot visit certain places linked with firearms, like a shooting range or a shop that sells firearms.

If you have an FPO, police do not need a warrant to do searches. Police also do not need a reasonable suspicion that you have a firearm or have breached your FPO to do a search.

### **How long does an FPO last?**

Once police make an FPO against you, it lasts for life.

Your FPO stays in place unless the police remove it.

## **Can police make an FPO against me if I have never been charged with a firearms offence?**

Yes. Police can make an FPO against you even if you have never owned or used a firearm, or if you have never been charged or convicted of a criminal offence involving a firearm.

## **What happens if I breach my FPO?**

Breaching an FPO can be a serious criminal offence.

If you commit an FPO offence, you could face a large fine or a prison sentence.

## **Is an FPO the same as a Weapons Prohibition Order ('WPO')?**

No. These are different, although police will often make an FPO and a WPO against a person at the same time.

A WPO is an order that NSW Police can make if they don't think someone should be able to have a 'prohibited weapon'. 'Prohibited weapons' include things like knives, flame throwers, slingshots and knuckle dusters. Like the test for an FPO, the test for police making a WPO is whether they think it is in 'the public interest'.

Like an FPO, a WPO stays in place unless the police remove it. You can face jail time if you have a WPO and are found with a prohibited weapon.

If you have a WPO, anyone who sells or gives you a prohibited weapon, knowing that you have a WPO, can also face extra jail time.

Unlike FPOs, WPOs do not give police extra search powers. They do not impact where you can be or live.

## **Will my FPO show up in my criminal record, a National Police Check or a Working with Children Check?**

Your FPO is not part of your criminal record and will not show up on a National Police Check ('NPC') or a Working with Children Check ('WWCC').

However, if you breach your FPO, that is a criminal offence and will be part of your criminal record and will show up on an NPC and a WWCC.

## **How do I know if I still have an FPO?**

To find out whether you have an FPO, you can call the NSW Firearms Registry on 1300 362 562, or +61 2 6670 8590 if you are outside NSW.

## **Can I get my FPO removed?**

Possibly, if you act quickly.

You have **28 days** from the date that police give you a copy of your FPO, to ask police to review your FPO. This is called an 'internal review.'

If police gave you a WPO also, you should ask for this to be reviewed at the same time, as part of the 'internal review'.

If police decide that your FPO and/or WPO should stay in place, they must provide you with written reasons for those decisions.

You then have **28 days** from the date of that police internal review decision to ask the NSW Civil and Administrative Tribunal (or 'NCAT') to review your FPO. NCAT will either decide that your FPO should stay in place, or that your FPO should be removed.

However, not everyone can seek review of their FPO at NCAT. If you have committed certain offences or have certain orders in place against you (such as an AVO), you cannot ask NCAT to review your FPO. You should speak to a lawyer about asking NCAT to review your FPO.

NCAT cannot do anything about a WPO.

If you have missed these deadlines, you can write a letter to the NSW Commissioner of Police, asking them to remove your FPO and WPO. You should include in that letter any information that might support your FPO and WPO being removed, for example, if it has been a long time since your last offence, or you have done positive things, like counselling or rehabilitation programs.

If you have a lawyer or caseworker, you can ask them to help you write that letter.

**Produced by the Justice and Equity Centre, published May 2026.**

This Factsheet contains general information. It is not intended as legal advice and is not a substitute for legal advice from a qualified professional.