

Control of Weapons Act 1990
WEAPONS EXEMPTION — IMITATION FIREARMS
 Order in Council

The Governor in Council under section 8B of the **Control of Weapons Act 1990** exempts a person who is of a class of persons listed in Column 1 of the Table from sections 5(1), 5(1AA), 5(1AB), 5(1A) and 5AB(1) of the **Control of Weapons Act 1990** in relation to activities involving imitation firearms as listed in Column 2 of the Table, for the purposes listed in Column 3 of the Table.

TABLE

| Item | Column 1 Person | Column 2 Activity | Column 3 Purpose |
|-------------|--|---|---|
| 1. | An officer of Victoria Police, a police recruit, an officer of the police force of the Commonwealth or of any other State or Territory of the Commonwealth, or an officer of a police force from another country. | Possess, use or carry an imitation firearm. | Undertake official duties, including training. |
| 2. | A protective services officer appointed under the Victoria Police Act 2013 . | Possess, use or carry an imitation firearm. | Undertake official duties, including training. |
| 3. | An officer of Victoria Police, an authorised employee of the Chief Commissioner of Police or any person acting under a contract with the Chief Commissioner of Police. | Bring into Victoria, cause to be brought into or sent into Victoria, display or advertise for sale, sell, purchase or possess an imitation firearm. | Supply to Victoria Police officers or protective service officers for the purpose of undertaking official duties, including training. |
| 4. | A person serving as a member of the Australian Defence Force (comprising the Navy, Army and Air Force) | Possess, use or carry an imitation firearm. | Participate in training or in ceremonial activities. |
| 5. | A person aged under 18 years who is a member of a cadet unit in the community-based youth development organisation known as the Australian Defence Force Cadets (comprising the Australian Navy Cadets, the Australian Army Cadets and the Australian Air Force Cadets), or who is instructing members of such a cadet unit. | Possess, use or carry an imitation firearm. | Participate in training or in ceremonial activities that involve the use of an imitation firearm. |

| Item | Column 1 Person | Column 2 Activity | Column 3 Purpose |
|------|--|---|--|
| 6. | A person aged 18 years or over who is a member of a cadet unit in the community-based youth development organisation known as the Australian Defence Force Cadets (comprising the Australian Navy Cadets, the Australian Army Cadets and the Australian Air Force Cadets), or who is instructing members of such a cadet unit. | Bring into Victoria, cause to be brought into or sent into Victoria, display or advertise for sale, sell, purchase, possess, use or carry an imitation firearm. | Participate in ceremonial activities that involve the use of or instruction in the use of an imitation firearm. |
| 7. | A person serving as a member of, or employed by, the Australian Defence Force (comprising the Navy, Army and Air Force) | Bring into Victoria, cause to be brought into or sent into Victoria, display or advertise for sale, sell, purchase or possess an imitation firearm. | Supply to members of the Australian Defence Force or a cadet unit in the Australian Defence Force Cadets, for the purpose of participating in training or ceremonial activities. |
| 8. | A commercial carrier or worker in a warehouse | Bring into Victoria, cause to be brought into or sent into Victoria, possess or carry an imitation firearm | Transport, carry or store imitation firearms in the ordinary course of his or her professional duties as a carrier or worker in a warehouse. |

Conditions:

It is a condition of this exemption that the person must not be a prohibited person under the **Control of Weapons Act 1990**.

Revocation

The Governor in Council under section 8B of the **Control of Weapons Act 1990** revokes the Order in Council dated 28 June 2011 and published in Government Gazette G26 on 30 June 2011, which exempts certain classes of persons including Victoria Police officers and protective services officers from specified provisions of the **Control of Weapons Act 1990**, to enable them to carry out activities involving imitation firearms for the purposes specified in the Order.

Commencement

This Order comes into effect on the date it is published in the Government Gazette.

Dated 28 June 2016

Responsible Minister:
LISA NEVILLE MP
Minister for Police

ANDREW ROBINSON
Clerk of the Executive Council