

SUPASPLAT MULTIBLASTER

These are brightly coloured, often futuristic looking devices which shoot water-based coloured pellets. They are aimed at children from 8 years of age and are promoted as toys.

The supasplats have been a contentious item for over two years, as they technically fit the definition of firearm under the *Firearms Act 1996* (the Act). However, after careful consideration (outlined below), these devices have been classified as toys. This has been done to preserve the integrity of the Act (ie the regulation of genuine firearms) and to ensure other items resembling the supasplats are not inadvertently captured in what would be a stringent and inappropriate application of the law.

The relevant definition of firearm as contained Section 3 of the Act is:

“firearm means any device, whether or not assembled or in parts and whether or not operable or complete or temporarily or permanently inoperable or incomplete —

(a) which is designed or adapted to discharge shot or a bullet or other missile by the expansion of gases produced in the device by the ignition of strongly combustible materials **or by compressed air** or other gases, whether stored in the device in pressurised containers **or produced in the device by mechanical means**; or ...”and;

“paintball marker means a firearm that is designed to discharge a paintball.”

The devices in question operate by the force generated by the user’s arm, however they use internal pistons which compress air and release it once pressure is sufficient to propel the projectile at a force sufficient to eject it some seven metres or so.

The basic design and function of this device could be captured under the Act, were the definition to be applied rigidly regardless of any other consideration. If that were the case, it would obviously be classified under the Act as a paintball marker and be subject to registration and control.

However, in making a determination on this device’s classification, the following points were taken into consideration:

1. This item poses no real threat, actual or implied to society and is in reality a toy in design, function and intent.
2. It does not resemble or imitate a firearm.
3. It was quite obviously designed as a child’s toy to minimal energy and injury potential standards.
4. There is no pre compression, no internal or external power source or stored energy of any kind as in a normal firearm.
5. There is no trigger or dedicated firing mechanism.

Accordingly, as mentioned, Victoria Police will accept these products as being toys, unless their design and function deviates from the current specifications.

