

Period of Application

6. This Order comes into operation on and from the date of its publication in the Government Gazette.

Dated 7 May 2013

Responsible Minister:

KIM WELLS MP

Minister for Police and Emergency Services

YVETTE CARISBROOKE
Clerk of the Executive Council

Control of Weapons Act 1990**EXEMPTION TO POSSESS BLOW GUNS AND BLOW DARTS — VETERINARIANS**

Order in Council

The Governor in Council, under section 8B of the **Control of Weapons Act 1990**, exempts from the operation of section 5(1), (1AA), (1AB) and (1A) and section 5AA of the **Control of Weapons Act 1990**, a person who is of a class of persons set out in an item in Column 1 of the following Table, in relation to activities involving blow guns and blow darts as listed in Column 2 of the Table, for the purposes listed in Column 3 of the Table.

TABLE

Column 1 Class of Person	Column 2 Activities	Column 3 Purposes
A veterinarian	Bring into Victoria, cause to be brought into or sent into Victoria, display or advertise for sale, sell, purchase, possess, use or carry a blow gun and blow darts.	To administer medications to animals from a safe distance for the purposes of animal management.

Conditions

A person seeking to rely on this Order is subject to the following conditions:

1. The blow gun and blow darts may only be used for the purposes for which the exemption was granted.
2. When not being used in accordance with the purpose specified in this Order, blow guns and blow darts must be stored safely and securely.

'stored safely and securely' means:

- (a) stored in a manner calculated to ensure that the blow gun and blow darts:
 - (i) are not readily accessible to a person other than the person seeking to rely on the exemption; and
 - (ii) are not available for possession, carriage or use by a person who is not themselves a holder of an approval issued by the Chief Commissioner of Police or who does not fall within a class of exempt persons; and
- (b) when being transported between the usual place of storage of the blow gun and blow darts and places at which the blow gun and blow darts are legitimately used for the purposes specified in this exemption:
 - (i) stored in a manner calculated to ensure that the blow gun and blow darts are not readily accessible to a person other than the person seeking to rely on the exemption; and
 - (ii) concealed from plain sight during any such transportation.

3. A person seeking to rely on this exemption must, on request, permit a member of the police force to inspect his or her storage arrangements at any reasonable prearranged time.
4. A person seeking to rely on this exemption must maintain a record of the quantity and type of blow gun and blow darts in their possession. These records must be kept for the duration of operation of the exemption and must be made available to a member of the police force for inspection at any reasonable prearranged time.
5. A person seeking to rely on this exemption who sells a blow gun or blow dart must keep a record of the sale. The record must be in the form and manner prescribed by the **Control of Weapons Regulations 2011**. A member of the police force at any reasonable time may require the person to produce the record for inspection.
6. This Order does not apply to a person who is a prohibited person as defined in section 3 of the **Control of Weapons Act 1990**, regardless of whether that person is a member of a class of person specified in Column 1 of the Table.

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