

**Control of Weapons Act 1990**  
**EXEMPTIONS UNDER SECTION 8B OF THE CONTROL OF WEAPONS ACT 1990**  
**AND REPEAL OF PREVIOUS EXEMPTIONS UNDER SECTION 8B OF THE**  
**CONTROL OF WEAPONS ACT 1990**

Order in Council

The Governor in Council under section 8B of the **Control of Weapons Act 1990** exempts the persons listed in Column 1 of the Table from section 5(1) and section 8A of the **Control of Weapons Act 1990** as it applies to activities listed in Column 2 of the Table in relation to the items listed in Column 3 of the Table for the purposes listed in Column 4 of the Table:

Column 1 Person	Column 2 Activity	Column 3 Item	Column 4 Purposes
A person who holds an individual operator or business licence or temporary interstate visitor permit under the <b>Private Security Act 2004</b> that authorises the person to engage in security guard or bodyguard activities.	Bringing into Victoria, causing to be brought into Victoria, purchasing or possessing.	Body armour.	For that person's lawful employment.
A person who holds an individual operator or business licence or temporary interstate visitor permit under the <b>Private Security Act 2004</b> that authorises the person to engage in security guard or bodyguard activities.	Using or carrying.	Body armour.	In the course of that person's lawful employment.
A person who holds an individual operator or business licence or temporary interstate visitor permit under the <b>Private Security Act 2004</b> that authorises the person to engage in security guard or bodyguard activities.	Selling, displaying or advertising for sale.	Body armour.	To dispose of body armour in the person's possession if the person ceases to hold an individual operator or business licence or temporary interstate visitor permit under the <b>Private Security Act 2004</b> that authorises the person to engage in security guard or bodyguard activities, or ceases to work in the private security industry as a security guard or bodyguard.

Column 1 Person	Column 2 Activity	Column 3 Item	Column 4 Purposes
A person who holds an individual operator or business licence or temporary interstate visitor permit under the <b>Private Security Act 2004</b> that authorises the person to engage in crowd controller, security guard or bodyguard activities.	Bringing into Victoria, causing to be brought into Victoria, purchasing or possessing.	Extendable baton.	For that person's lawful employment.
A person who holds an individual operator or business licence or temporary interstate visitor permit under the <b>Private Security Act 2004</b> that authorises the person to engage in crowd controller, security guard or bodyguard activities.	Using or carrying.	Extendable baton.	In the course of that person's lawful employment.
A person who holds an individual operator or business licence or temporary interstate visitor permit under the <b>Private Security Act 2004</b> that authorises the person to engage in crowd controller, security guard or bodyguard activities.	Selling, displaying or advertising for sale.	Extendable baton.	To dispose of an extendable baton in the person's possession if the person ceases to hold an individual operator or business licence or temporary interstate visitor permit under the <b>Private Security Act 2004</b> that authorises the person to engage in crowd controller, security guard or bodyguard activities, or ceases to work in the private security industry as a crowd controller, security guard or bodyguard.

It is a condition of this exemption that:

- a. That person must not be a prohibited person under the **Control of Weapons Act 1990**; and
- b. If the person ceases to hold an individual operator or business licence or temporary interstate visitor permit under the **Private Security Act 2004** that authorises the person to engage in security guard or bodyguard activities, or ceases to work in the private security industry as a security guard or bodyguard, the person must dispose of any body armour that they possess by transferring possession and ownership to an appropriately authorised or exempted person under the **Control of Weapons Act 1990** or to Victoria Police; and

- c. If the person ceases to hold an individual operator or business licence or temporary interstate visitor permit under the **Private Security Act 2004** that authorises the person to engage in crowd controller, security guard or bodyguard activities or ceases to work in the private security industry as a crowd controller, security guard or bodyguard, the person must dispose of any extendable batons that they possess by transferring possession and ownership to an appropriately authorised or exempted person under the **Control of Weapons Act 1990** or to Victoria Police.

The Governor in Council under section 8B of the **Control of Weapons Act 1990** repeals the Order in Council dated 18 August 1998 and published in the Government Gazette on 20 August 1998 which exempts holders of security guard licences or crowd control licences issued under the **Private Agents Act 1966** from section 5 of the **Control of Weapons Act 1990** as it applies to bringing into Victoria, causing to be brought into Victoria, purchasing, possessing, carrying or using extendable batons for specified purposes.

This Order takes effect on the date that it is made.

Dated 6 September 2005

Responsible Minister  
TIM HOLDING MP  
Minister for Police & Emergency Services

RUTH LEACH  
Clerk of the Executive Council

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