

Control of Weapons Act 1990
EXEMPTION TO POSSESS THROWING BLADES, MACES AND FLAILS –
RE-ENACTMENT ORGANISATIONS

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 throwing blades, maces and flails as listed in Column 2 of the Table, for the purposes listed in Column 3 of the Table.

TABLE

Item	Column 1 Class of person	Column 2 Activities	Column 3 Purposes
1	A person aged 18 years or over who is a member of a member group of the Australasian Living History Federation (ALHF).	Bring into Victoria, cause to be brought or sent into Victoria, display or advertise for sale, sell, purchase, possess, use or carry a throwing blade, mace or flail.	Study and participate in the re-enactment of historical and cultural events.
2	A person aged 18 years or over who is a member of an Historical Re-enactment Organisation listed in Schedule 1.	Bring into Victoria, cause to be brought or sent into Victoria, display or advertise for sale, sell, purchase, possess, use or carry a throwing blade, mace or flail.	Study and participate in the re-enactment of historical and cultural events.
3	A person aged under 18 years who is a member of a member group of the Australasian Living History Federation (ALHF) or a member of an Historical Re-enactment Organisation listed in Schedule 1.	Possess, use or carry a throwing blade, mace or flail.	Engage in the purposes specified in items 1 and 2 in this Table that relate to the class of person to which the person under 18 belongs.

Conditions

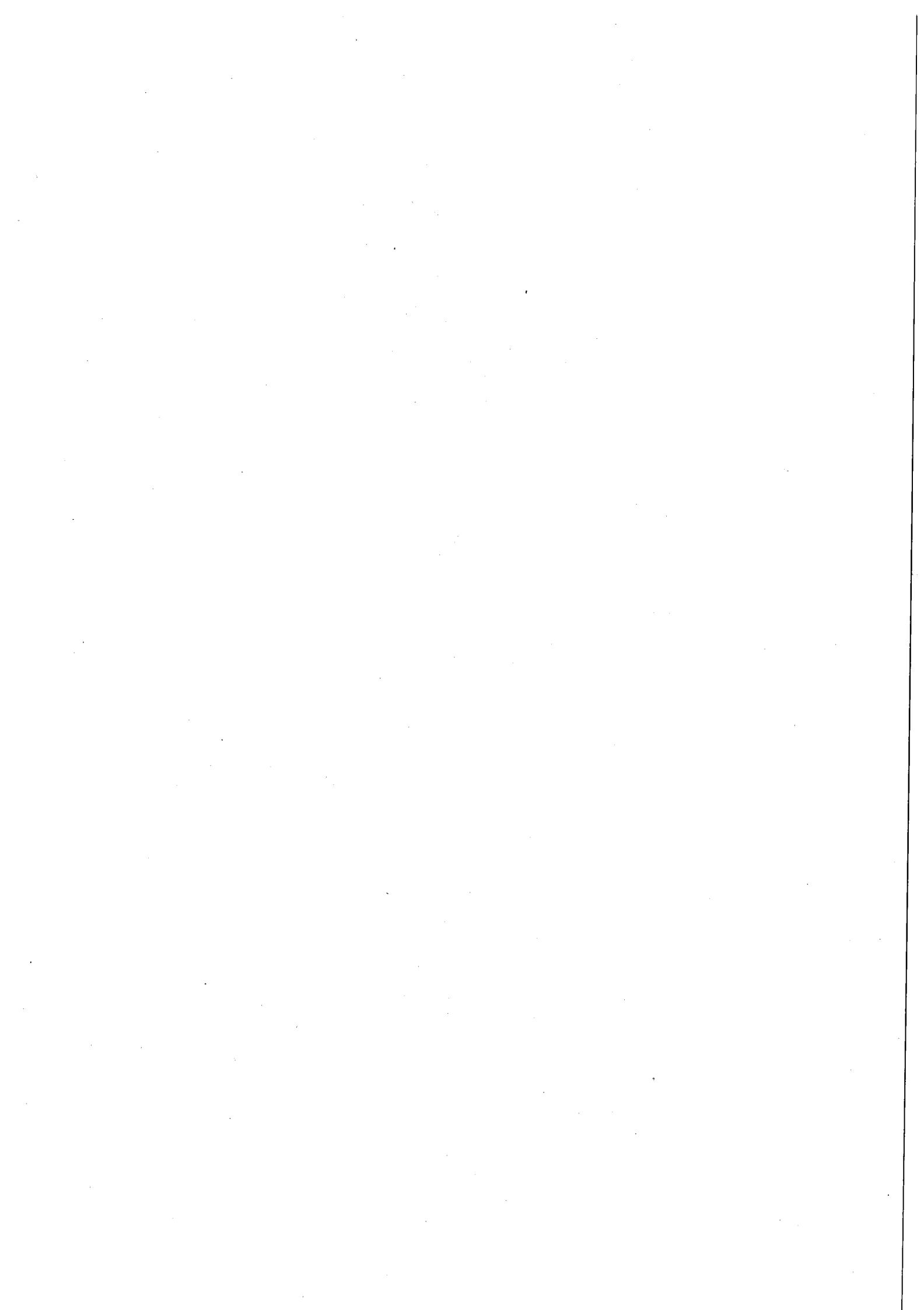
A person seeking to rely on this Order is subject to the following conditions.

General Conditions

1. *Use:* A throwing blade, mace or flail may only be used for the purposes for which the exemption was granted.
2. *Storage:* When not being used in accordance with the purposes specified in this Order, a throwing blade, mace or flail must be stored safely and securely.

'stored safely and securely' means:

- (a) stored in a manner calculated to ensure that the item:
 - (i) is not readily accessible to a person other than the person seeking to rely on the exemption; and
 - (ii) is 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 specified in the above Table; and



- (b) when being transported between the usual place of storage of the item and places at which the item is legitimately used for the purposes specified in this exemption:
 - (i) stored in a manner calculated to ensure that the item is 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. *Inspection on request:* 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 pre-arranged time.
- 4. *Record of possession:* A person seeking to rely on this exemption must maintain a record of the number and types of throwing blades, maces or flails in his or her 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 pre-arranged time.
- 5. *Record of sale:* A person seeking to rely on this exemption who sells a throwing blade, mace or flail must keep a record of the sale. The record must be in the form and manner prescribed under the **Control of Weapons Act 1990**, and must be kept for 3 years after the sale. A member of the police force at any reasonable time may require the person to produce the record for inspection.
- 6. *Persons aged under 18:* A person under the age of 18 is not permitted to purchase any prohibited weapon, including a throwing blade, mace or flail. However, a person aged under 18 years who belongs to a class of exempt person specified in this Order may lawfully possess, use or carry a throwing blade, mace or flail subject to the terms and conditions of the exemption.
- 7. *Prohibited persons:* 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 or classes of persons specified in Column 1 of the Table.

Additional conditions relating to Specified Organisations

- 8. The following conditions have effect only in relation to members of an organisation specified in Column 1 in the above Table ('Specified Organisation') who engage in activities involving throwing blades, maces or flails for purposes specified in the Table. The conditions do not have effect in relation to members who do not engage in such activities.
- 9. Upon joining a Specified Organisation, a person must acknowledge and consent to follow the conditions outlined in this Order.

Purchase waiting period

- 10. An adult person who joins a Specified Organisation on or after the date this notice comes into effect, cannot purchase a throwing blade, mace or flail for 28 days from the date upon which he or she joined the Specified Organisation, unless the person holds a firearms licence issued under Part 2 of the **Firearms Act 1996**, in which case the 28 day waiting period does not apply.

The 28 day waiting period does not apply to a person who was a member of a Specified Organisation prior to the date this Order came into effect.

Membership records and member identification

- 11. A Specified Organisation must be satisfied that each of its members who possesses, uses or carries a throwing blade, mace or flail in accordance with this Order is not a 'prohibited person' as defined in section 3 of the **Control of Weapons Act 1990**. This may require the organisation to arrange for each member to undergo a Criminal History Check or provide a Statutory Declaration affirming they are not a prohibited person. A member of a Specified Organisation who holds a firearms licence issued under Part 2 of the **Firearms Act 1996**, an approval issued by the Chief Commissioner of Police under section 8C of the **Control of Weapons Act 1990** or a licence issued under Division 2 of Part 3 of the **Private Security Act 2004**, is not required to undergo a Criminal History Check or provide a Statutory Declaration.

12. A Specified Organisation must provide a membership number or other form of unique identifier to each member of the organisation who possesses a throwing blade, mace or flail in accordance with this Order.
13. A Specified Organisation must maintain a current register of members who possess, use or carry throwing blades, maces or flails in accordance with this Order. The register must contain the names of members and their membership numbers and/or unique identifiers.
14. A Specified Organisation must, on request, permit a member of the police force to inspect the register at any reasonable pre-arranged time.
15. A Specified Organisation must require each of its members who possesses, uses or carries throwing blades, maces or flails in accordance with this Order, to provide it with the following details:
 - the member's contact details; and
 - the residential address at which the prohibited weapon is stored.Any changes to these details must be notified by the member to the organisation within 28 days.
16. A Specified Organisation must issue to each member who possesses, uses or carries throwing blades, maces or flails in accordance with this Order, a membership card showing the member's name and membership number/identifier and any other details required by that organisation.
17. When carrying or transporting a throwing blade, mace or flail in accordance with this Order, a member must at all times carry his or her membership card as well as evidence of identity that includes a photograph, such as a driver's licence or passport, subject to the following exceptions:
 - when the member is participating in a re-enactment of historical events, during the re-enactment the member is only required to carry his or her membership card;
 - when the member is aged under 18 years and is supervised by a person who is entitled to possess, use or carry a throwing blade, mace or flail, the member is only required to carry his or her membership card.
18. A member of a Specified Organisation who is participating in a re-enactment must ensure his or her membership card is readily accessible nearby while participating, for example by keeping the membership card in a bag, cupboard or locker located nearby.

Organisational requirements
19. A Specified Organisation must have an active branch operating in Australia.
20. A Specified Organisation must undertake to arrange a meeting of its members at least on an annual basis.
21. A Specified Organisation must not publish material, including on a website, which promulgates irresponsible, unlawful or unsafe use of a prohibited weapon.
22. A Specified Organisation must make available to its members information on the Governor in Council exemptions.
23. A Specified Organisation must inform the Department of Justice, Victoria, within 28 days:
 - of any change in the Office Bearers of the organisation or their contact details; and
 - when it has expelled a member from the organisation in accordance with the organisation's constitution or rules.

The department's email address for this purpose is weapons@justice.vic.gov.au.

Period of Application

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

Dated 3 June 2014

Responsible Minister:

KIM WELLS MP

Minister for Police and Emergency Services

YVETTE CARISBROOKE
Clerk of the Executive Council

SCHEDULE 1

Historical Re-enactment Organisations

Frontiers Living History Group Inc
Frojel Gotlandica Viking Re-enactment Society Inc
Melbourne Sword and Spear Association
Nordmannia
Southern Cross Free Trappers Inc.
The Free Companies Inc
The New Varangian Guard Inc
The Society for Creative Anachronism Ltd

Crown Land (Reserves) Act 1978

NOTICE OF INTENTION TO REVOKE TEMPORARY RESERVATIONS

RAVENHALL PRISON PROJECT

Order in Council

The Governor in Council under section 10 of the **Crown Land (Reserves) Act 1978** gives notice of intention to revoke the following temporary reservations:

DERRIMUT – The temporary reservation by Order in Council of 30 March, 2005 of a total area of 31.29 hectares of land being Crown Allotments 2005 and 2010, Parish of Derrimut as a site for Public purposes (Police purposes), revoked as to part by Order in Council of 17 April, 2012 pursuant to section 140(2)(a) of the **Major Transport Projects Facilitation Act 2009**, so far as the balance remaining containing 30.7 hectares, more or less. – (File reference 2014439)

DERRIMUT – The temporary reservation by Order in Council of 30 March, 2005 of a total area of 96.19 hectares of land being Crown Allotments 2007 and 2008, Parish of Derrimut as a site for Public purposes (Department of Justice purposes), revoked as to part by Order in Council of 31 July, 2007 (Crown Allotment 2008), so far as the balance remaining containing 90.19 hectares (being Crown Allotment 2007). – (File reference 2014440)

This Order is effective from the date on which it is published in the Government Gazette.

Dated 3 June 2014

Responsible Minister

RYAN SMITH

Minister for Environment and
Climate Change

YVETTE CARISBROOKE
Clerk of the Executive Council

