



# Victoria Government Gazette

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## Control of Weapons Act 1990

### PROHIBITED WEAPONS EXEMPTION – AMNESTY – BODY ARMOUR, PROHIBITED WEAPONS, AND MACHETE AMNESTY

#### Order in Council

The Governor in Council under section 8B of the **Control of Weapons Act 1990** makes the following Order:

#### 1 Objective

The objective of this Order is to establish an amnesty to provide for the surrender of a prohibited weapon or body armour under the **Control of Weapons Act 1990**.

#### 2 Authorising provision

This Order is made under section 8B of the **Control of Weapons Act 1990**.

#### 3 Commencement

This Order comes into operation on the day it is published in the Government Gazette.

#### 4 Definitions

In this Order –

*Act* means the **Control of Weapons Act 1990**;

*machete safe disposal bin* means a receptacle designed or adapted to collect a machete for the purposes of the machete amnesty;

*machete amnesty* means the amnesty referred to in clause 6; and

*person conducting a business or undertaking* has the same meaning as in section 5(1) of the **Work Health and Safety Act 2011** of the Commonwealth.

#### 5 Continuing amnesty to surrender a prohibited weapon or body armour to police

- (1) A person who possesses or carries a prohibited weapon or body armour solely for the purpose of surrendering the prohibited weapon or body armour to a police officer is exempt from sections 5(1A), 5AA, 5AB(1) and 8A(1)(d) of the Act.
- (2) This exemption is limited to a person who makes a prior arrangement with a police officer to voluntarily surrender the prohibited weapon or body armour.
- (3) It is a condition of this exemption that the person must ensure that the prohibited weapon or body armour is concealed from plain sight when in a public place.

#### 6 The machete amnesty

- (1) The function of the *machete amnesty* is to provide for a person to voluntarily surrender a machete to the State.
- (2) A machete is surrendered under the amnesty if the machete is –
  - (a) deposited in a machete safe disposal bin; or
  - (b) voluntarily surrendered to a person authorised by the State to collect a machete under the amnesty; or
  - (c) voluntarily surrendered to police by prior arrangement with a police officer.
- (3) Any other prohibited weapon or body armour is surrendered under the amnesty if deposited in a machete safe disposal bin.
- (4) A person is engaged in the machete amnesty if the person is –
  - (a) contracted to supply goods or services relating to the amnesty;
  - (b) a person conducting a business or undertaking that supplies goods or services to a person engaged in the amnesty; or
  - (c) acting in the course of their employment for a person engaged in the amnesty.

**SPECIAL**

**7 Person who surrenders a machete under the machete amnesty**

- (1) A person who possesses or carries a machete solely for the purpose of surrendering the machete under the machete amnesty is exempt from sections 5(1A) and 5AA of the Act.
- (2) It is a condition of this exemption that the person must ensure that the machete is concealed from plain sight when in a public place.
- (3) This exemption expires on 1 December 2025.

**8 Person engaged in machete amnesty**

- (1) A person engaged in the machete amnesty is exempt from sections 5(1)(d), 5(1AA) and 5(1AB) of the Act limited to a contract relating to the amnesty.
- (2) A person engaged in the machete amnesty is exempt from sections 5(1A), 5AA, 5AB(1) and 8A(1)(d) of the Act limited to a prohibited weapon or body armour surrendered under the amnesty.
- (3) A person who has lawful possession, custody or control of, or access to, a place at which a machete safe disposal bin is located is exempt from sections 5(1A), 5AA, 5AB(1) and 8A(1)(d) of the Act limited to a prohibited weapon or body armour in a machete safe disposal bin or in the immediate vicinity of a machete safe disposal bin.
- (4) In this clause, it is a condition of an exemption that a person other than a person engaged in the machete amnesty must not take actual physical possession of a prohibited weapon or body armour except if the prohibited weapon or body armour is immediately placed in a machete safe disposal bin or surrendered to a police officer.
- (5) This exemption expires on 1 December 2026.

**Notes:**

1. An exemption in this Order does not apply to a person who is a prohibited person within the meaning of section 3(1) of the **Firearms Act 1996**.
2. In the Act, **public place** has the same meaning as it has under the **Summary Offences Act 1966** and also includes a non-government school.

Dated: 1 July 2025

Responsible Minister:

HON ANTHONY CARBINES MP  
Minister for Police

ANGELA SMITH  
Clerk of the Executive Council

**Control of Weapons Act 1990****PROHIBITED WEAPONS EXEMPTION – MACHETE – AGRICULTURE****Order in Council**

The Governor in Council, under section 8B of the **Control of Weapons Act 1990** makes the following Order:

**1 Objective**

The Objective of this Order is to exempt a person engaged in agriculture from offences against the **Control of Weapons Act 1990** in relation to a prohibited weapon that is a machete and to specify conditions and limitations to which the exemption is subject.

**2 Authorising provision**

This Order is made under section 8B of the **Control of Weapons Act 1990**.

**3 Commencement**

This Order comes into operation on the day it is published in the Government Gazette.

**4 Definitions**

In this Order –

*Act* means the **Control of Weapons Act 1990**;

*agriculture* includes, without limitation, horticulture or the production of food;

*approval* means an approval granted by the Chief Commissioner of Police under section 8C of the Act;

*education and training* means –

- (a) adult, community and further education (within the meaning of the **Education and Training Reform Act 2006**); and
- (b) education and training provided by a post-secondary education provider or a recognised University (within the meaning of sections 1.1.3(1) and 4.1.1(1) of the **Education and Training Reform Act 2006**);

*exemption* means an exemption –

- (a) under section 7A of the Act that applies to a health service worker;
- (b) under section 7B of the Act that applies to a person exercising power under the **Education and Training Reform Act 2006**; and
- (c) granted by the Governor in Council under section 8B of the Act;

*foreign jurisdiction* means a jurisdiction other than Victoria; and

*person conducting a business or undertaking* has the same meaning as in section 5(1) of the **Work Health and Safety Act 2011** of the Commonwealth.

**5 Use of a machete in agriculture**

- (1) This exemption applies in relation to a prohibited weapon that is a machete.
- (2) A person conducting a business or undertaking that engages in agriculture is exempt from –
  - (a) sections 5(1), 5(1A) and 5AA of the Act in the case of an individual under the age of 18 years; and
  - (b) sections 5(1), 5(1AA), 5(1AB), 5(1A) and 5AA of the Act in any other case.
- (3) A person acting in the course of their employment in a business or undertaking or for a person referred to in paragraph (2) is exempt from –
  - (a) sections 5(1), 5(1A) and 5AA of the Act in the case of an individual under the age of 18 years; and
  - (b) sections 5(1), 5(1AA), 5(1AB), 5(1A) and 5AA of the Act in any other case.

- (4) A person engaged in education or training relating to agriculture is exempt from –
  - (a) sections 5(1), 5(1A) and 5AA of the Act in the case of an individual under the age of 18 years; and
  - (b) sections 5(1), 5(1AA), 5(1AB), 5(1A) and 5AA of the Act in any other case.
- (5) It is a condition of the exemption from sections 5(1)(d), 5(1A) and 5AA of the Act that the person must ensure that the prohibited weapon is –
  - (a) stored safely and securely;
  - (b) displayed for sale, possessed, carried or used in a manner calculated to ensure that the prohibited weapon is not readily accessible to a person without an exemption or an approval; and
  - (c) concealed from plain sight –
    - (i) if the prohibited weapon is on display for sale, after the prohibited weapon ceases to be on display for sale; and
    - (ii) if the prohibited weapon is in use in a public place, after the prohibited weapon ceases to be in use in the public place.

**Notes:**

1. An exemption in this Order does not apply to a person who is a *prohibited person* within the meaning of section 3(1) of the **Firearms Act 1996**.
2. In the Act, *public place* has the same meaning as it has under the **Summary Offences Act 1966** and also includes a non-government school.
3. Sections 5A and 5B of the Act requires the seller of a prohibited weapon to identify a purchaser and to keep a record of the sale prescribed by the Regulations.

Dated: 1 July 2025

Responsible Minister:

HON ANTHONY CARBINES MP

Minister for Police

ANGELA SMITH  
Clerk of the Executive Council

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