



Australian Capital Territory

Weapons Regulations¹ (Amendment)

Subordinate Law No. 17 of 1996²

The Australian Capital Territory Executive makes the following Regulations under the *Weapons Act 1991*.

Dated 16 July 1996.

TONY DE DOMENICO
Minister

GARY HUMPHRIES
Minister

Commencement

1. These Regulations commence on the day on which they are notified in the *Gazette*.

Principal Regulations

2. In these Regulations, “Principal Regulations” means the Weapons Regulations.

Insertion

3. After regulation 9A of the Principal Regulations the following regulation is inserted:

Exemption—batons

“9B. (1) A security organisation is exempt from the requirements of section 16 of the Act in relation to an expandable straight or side handled baton in the circumstances specified in subregulation (3).

“(2) An employee of a security organisation is exempt from the requirements of section 16 of the Act insofar as that section prohibits the possession of an expandable straight or side handled baton in the circumstances specified in subregulation (4).

“(3) For the purposes of subregulation (1), the circumstances are—

- (a) the baton—
 - (i) is owned or leased by the security organisation;
 - (ii) is stored securely on premises owned or occupied by the organisation in such a manner that it is not visible when it is not in use; and
 - (iii) bears in permanent form and identification number;
- (b) each use of the baton is recorded in a register in a form approved by the Registrar;
- (c) in relation to manufacture, importation or sale—
 - (i) the dealing would not result in the organisation possessing more than the number of batons possession of which by the organisation has been approved by the Registrar; and
 - (ii) subject to subregulation (5), the dealing has been approved in writing by the Registrar.

“(4) For the purposes of subregulation (2), the circumstances are—

- (a) the baton—
 - (i) is owned or leased by the security organisation of which he or she is an employee; and

- (ii) is in his or her possession for use in the course of that employment; and
- (b) the employee has completed a course of training in the use of expandable straight or side handled batons approved by the Registrar.

“(5) The Registrar shall not give his or her approval to the manufacture or sale of an expandable straight or side handled baton unless satisfied that it is in the public interest to do so.

“(6) In this regulation—

‘security organisation’ means a body, other than a bank, whether corporate or unincorporate, which carries on a business of providing transport of, or protection for, money, valuable securities, precious stones or precious metals of persons other than the body.”.

Exemption—Nunchaku, Nunchaku baton or similar article

“9C. (1) An approved club that is a martial arts club is exempt from the requirements of section 16 of the Act in relation to a Nunchaku, Nunchaku baton or similar article in the circumstances specified in subregulation (3).

“(2) A person is exempt from the requirements of section 16 of the Act insofar as that section prohibits the possession of a Nunchaku, Nunchaku baton or similar article in the circumstances specified in subregulation (4).

“(3) For the purposes of subregulation (1), the circumstances are—

- (a) the club is approved by the Registrar and employs a full-time or part-time qualified instructor; and
- (b) in relation to manufacture, acquisition or sale—
 - (i) the dealing would not result in the organisation possessing more than the number of Nunchakus, Nunchaku batons or similar articles possession of which by the organisation has been approved by the Registrar; and
 - (ii) subject to subregulation (5), the dealing has been approved in writing by the Registrar.

“(4) For the purposes of subregulation (2), the circumstances are—

- (a) the person is—

- (i) a member of an approved martial arts club and taking part in—
 - (A) instruction by a qualified instructor in the use of a Nunchaku, Nunchaku baton or similar article; or
 - (B) a competition or demonstration in the use of such an article;and the Nunchaku, Nunchaku baton or similar article in his or her possession for that purpose is owned or leased by that club; or
- (ii) a qualified instructor who has a Nunchaku, Nunchaku baton or similar article in his or her possession for the purposes of—
 - (A) providing instruction in its use to members of the approved martial arts club; or
 - (B) taking part in a competition or demonstration in the use of such articles; and
- (b) in the case of an approved martial arts club—the Nunchaku, Nunchaku baton or similar article—
 - (i) is stored securely on premises owned or occupied by the approved club in such manner that it is not visible when it is not in use; and
 - (ii) is not removed from the club premises except for transport to and from a competition or demonstration in the use of such articles.

“(5) The Registrar shall not give his or her approval to the manufacture or sale of a Nunchaku, Nunchaku baton or similar article unless satisfied that it is in the public interest to do so.

“(6) In this regulation—

‘qualified instructor’ means a person who holds a black belt or equivalent in a martial art where the qualification is—

- (a) evidenced in writing; and
- (b) accredited by the Australian Sports Commission coaching council.”.

NOTES

Principal Regulations

1. Reprinted as at 28 February 1995. See also Subordinate Law No. 16, 1995; Nos. 5, 8, 12 and 15, 1996.

Notification

2. Notified in the ACT Gazette on 1 August 1996.

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