



# Prohibited Weapons Exemptions

## Collectors (Clauses 14 and 16)

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[Schedule 2 of the Summary Offences Act 1953](#) determines the exemptions relating to possession and use of prohibited weapons.

### **Collectors** (Clause 14)

A person may have possession of a prohibited weapon as part of a collection of weapons (that comprise of at least three weapons) that has a particular theme, or that the person maintains for its historical interest or as an investment, provided that –

- the person keeps the following records in a legible manner in a bound book at their residence for a period of five years after they cease to possess the collection.
- The record must –
  - describe and identify the weapon
  - record the date of each time they take the item into possession and the name and address of the person from which the weapon is received
  - record the date of each time they part with possession of the weapon and the identity and address of the person who receives the weapon

### AND

- the person keeps the weapon in a safe and secure manner at their residence and does not remove it except for –
  - display by another person eligible for possession of the weapon or
  - repair or restoration by a person in the business of repairing and restoring articles of that kind or
  - valuation by a person in the business of valuing articles of that kind or
  - repair, restoration or valuation by a collector (clause 14) or a person exempt by clause 17 (refer manufacturers and suppliers exemptions) or
  - secure storage by a person business of storing valuable property on behalf of others or another eligible collector (clause 14) or
  - returning the weapon to another eligible collector (clause 14) or prescribed services organisation (clause 15) on whose behalf the person has repaired, restored, valued or stored the weapon or
  - taking the weapon to a meeting, but only if the majority of persons at the meeting are eligible collectors or
  - permanently transferring possession of the weapon to another eligible person
  - its sale or supply to another person in the normal course of maintaining the collection to which a person is entitled to possess



AND

- the person permits a police officer at any reasonable time to enter their residential premises to inspect the collection and the records.
- the person eligible above is also exempt in relation to sales and supply, provided the transaction is in the normal course of maintaining the collection and only involves other exempt persons

**Collectors (Clause 16)**

A person who is exempt as a Clause 14 Collector (the first collector) is also exempt when in possession of a prohibited weapon owned by another Clause 14 Collector or a Clause 15 Prescribed Services Organisation if –

- possession of the weapon by the first collector is solely for repairing, restoring, valuing or storing the item on behalf of the other collector or prescribed services organisation
- AND
- the other collector / prescribed services organisation is an exempt entity in relation to the item
- AND
- while the weapon is in the possession of the first collector, the first collector complies with all the conditions set out for collectors in clause 14 (above).

If this or any other exemption does not apply to your possession and use of a prohibited weapon, consider surrendering the weapon to a police officer.

**Delivery to Police (Clause 4)**

A person may possess a prohibited weapon if the person is delivering the weapons, as soon as reasonably practical, to a police officer.

If you unlawfully have a prohibited weapon, utilise the clause 4 exemption to deliver the weapon to a police officer.

Compensation is not offered for weapons surrendered through clause 4.

Note – the clause 4 exemption is not available to a person who ceased to be exempt in accordance with previous legislation (reg 7(4) Summary Offences (Dangerous Articles and Prohibited Weapons) Regulations 2000.

