



# Prohibited Weapons Exemptions

## Prescribed Services Organisation (Clause 15)

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

A **prescribed services organisation** means –

The Returned Services League of Australia (S.A. Branch) Incorporated or any of its sub-branches or

An association or other body (whether or not incorporated) that is a member of the Consultative Council of Ex-Service Organisations (S.A.).

### **Prescribed Services Organisation (Clause 15)**

A organisation or is exempt if it has possession of a prohibited weapon acquired by one of its members (or by a person that it represents) while on active war service as a member of Australia's armed forces, provided -

- The organisation keeps legible records in a bound book at the premises
  - for five years after the final disposal of that weapon
  - the records must detail
    - a description that identifies the weapon
    - the date each time the organisation took the item into possession and the name and address of who the item was received from
    - the date each time the organisation released the item from possession and the name and address of who the item was given to
    - this includes if the item was temporarily released to or received from another person
- The organisation keeps the weapon in a safe and secure manner at its premises and does not remove the weapons except for –
  - display by a person entitled (has an legislated exemption) to possess the weapon for that purpose
  - repair, restoration or valuation by
    - a person in the business conducting those functionalities for articles of that kind
    - a person meeting the definition of an exempt collector (clause 14)
    - a person who completed a notification to the Commissioner of Police as a manufacturer, dealer, supplier etc (clause 17)
  - secure storage by a person who carries on the business of storing valuable property on behalf of others or



- the sale or supply of the weapon to another person in the normal course of maintain the collection to a person who is entitled to possession
- The organisation permits a police officer at any reasonable time to enter the premises of the organisation to inspect the weapon and the records kept

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.

