



Victoria Government Gazette

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Control of Weapons Act 1990 WEAPONS EXEMPTION – TEAR GAS

Order in Council

The Governor in Council under section 8B of the **Control of Weapons Act 1990** exempts a person who is of a class of person listed in Column 1 of the Table from sections 5(1), 5(1AA), 5(1AB) and 5AA of the **Control of Weapons Act 1990** in relation to activities involving tear gas as listed in Column 2 of the Table, for the purposes listed in Column 3 of the Table.

TABLE

Column 1 Class of person	Column 2 Activity	Column 3 Purposes
A Victoria Police officer or an employee of Victoria Police authorised to perform administrative duties	Bring into Victoria, cause to be brought into or sent into Victoria, sell, purchase or possess tear gas	Sell or supply tear gas to a prison officer assigned to the Security and Emergency Services Group of Corrections Victoria, for use in that person's official duties
A member of the Australian Defence Force, whether of the military, naval or air forces of the Commonwealth of Australia	Bring into Victoria, cause to be brought into or sent into Victoria, sell, purchase or possess tear gas	Sell or supply tear gas to a prison officer assigned to the Security and Emergency Services Group of Corrections Victoria, for use in that person's official duties
A member of the Australian Federal Police	Bring into Victoria, cause to be brought into or sent into Victoria, sell, purchase or possess tear gas	Sell or supply tear gas to a prison officer assigned to the Security and Emergency Services Group of Corrections Victoria, for use in that person's official duties

Conditions

It is a condition of this exemption that:

- the person must not be a prohibited person under the **Control of Weapons Act 1990**; and
- the person must comply with any policy or operating procedures issued by the organisation that the person serves or is employed by that relates to the sale, purchase or handling of tear gas.

Commencement

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

Dated 28 July 2015

Responsible Minister:
HON WADE NOONAN MP
Minister for Police

YVETTE CARISBROOKE
Clerk of the Executive Council

SPECIAL

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