



Victoria Government Gazette

No. S 331 Tuesday 10 July 2018
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Control of Weapons Act 1990

WEAPONS EXEMPTION FOR SPECIFIED OFFICERS AND SECURITY OFFICERS

Order in Council

The Lieutenant-Governor, as the Governor's deputy, with the advice of the Executive Council under section 8B of the **Control of Weapons Act 1990** exempts the class of persons listed in Column 1 of the table below from sections 5(1), 5(1AB), 5AA and 8A(1) of the **Control of Weapons Act 1990**, as those sections apply to bringing into Victoria, causing to be brought into Victoria, purchasing, possessing, carrying or using the Exempted Items specified in Column 2 of the table, for the purpose listed in Column 3 of the table.

	Column 1 Person	Column 2 Exempted Items	Column 3 Purpose
1	A specified officer within the meaning of the Corrections Act 1986 .	<ul style="list-style-type: none">● Extendable batons● Oleoresin capsicum spray● Body armour	That person's official duties.
2	A specified officer within the meaning of the Serious Sex Offenders (Detention and Supervision) Act 2009 .	<ul style="list-style-type: none">● Extendable batons● Oleoresin capsicum spray● Body armour	That person's official duties.
3	A security officer within the meaning of the Corrections Act 1986 .	<ul style="list-style-type: none">● Extendable batons● Oleoresin capsicum spray● Body armour	That person's official duties.

Conditions:

In relation to the classes of person listed in rows 1 and 2 of the table, it is a condition of this exemption that:

1. The person must perform that person's official duties in accordance with the obligations imposed by the respective Act, or Acts, under which they are empowered.
2. The person must have successfully completed the training requirements for the use of the Exempted Items as specified in any relevant Commissioner's Requirement issued by the Commissioner of Corrections Victoria.
3. The person must observe all instructions regarding the bringing into Victoria, purchase, storage, possession, carriage and use of the Exempted Items as set out in any relevant Commissioner's Requirement issued by the Commissioner of Corrections Victoria.
4. The person must not be a prohibited person under the **Control of Weapons Act 1990**.

In relation to the class of person listed in row 3 of the table, it is a condition of this exemption that:

1. The person must perform that person's official duties in accordance with the **Corrections Act 1986**.
2. The person must have successfully completed the training requirements for the use of the Exempted Items as specified in any relevant Commissioner's Requirement issued by the Commissioner of Corrections Victoria.
3. The person must observe all instructions regarding the bringing into Victoria, purchase, storage, possession, carriage and use of the Exempted Items as set out in any relevant Commissioner's Requirement issued by the Commissioner of Corrections Victoria.
4. The person must not be a prohibited person under the **Control of Weapons Act 1990**.

SPECIAL

Revocations:

The Lieutenant-Governor, as the Governor's deputy, with the advice of the Executive Council under section 8B of the **Control of Weapons Act 1990** revokes the Orders in Council dated:

1. 24 November 2015 and published in Government Gazette G47 on 26 November 2015, which exempted prison officers in the class of prison officers assigned to the Security and Emergency Services Group of Corrections Victoria who is a specified officer within the meaning of the **Serious Sex Offenders (Detention and Supervision) Act 2009** in relation to extendable batons and oleoresin capsicum spray; and
2. 25 July 2017 and published in Government Gazette G30 on 27 July 2017, which exempted prison officers in the class of prison officers assigned to the Security and Emergency Services Group of Corrections Victoria who is a specified officer within the meaning of the **Corrections Act 1986** and **Serious Sex Offenders (Detention and Supervision) Act 2009** in relation to extendable batons, oleoresin capsicum spray and body armour.

Commencement:

This order comes into effect on the date it is published in the Government Gazette.

Dated 10 July 2018

Responsible Minister:

HON LISA NEVILLE MP

Minister for Police

ANDREW ROBINSON
Clerk of the Executive Council

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