



Victoria Government Gazette

No. S 343 Tuesday 1 July 2025
By Authority of Victorian Government Printer

Control of Weapons Act 1990

PROHIBITED WEAPONS EXEMPTION – AMNESTY – BODY ARMOUR, PROHIBITED WEAPONS, AND MACHETE AMNESTY

Order in Council

The Governor in Council under section 8B of the **Control of Weapons Act 1990** makes the following Order:

1 Objective

The objective of this Order is to establish an amnesty to provide for the surrender of a prohibited weapon or body armour under the **Control of Weapons Act 1990**.

2 Authorising provision

This Order is made under section 8B of the **Control of Weapons Act 1990**.

3 Commencement

This Order comes into operation on the day it is published in the Government Gazette.

4 Definitions

In this Order –

Act means the **Control of Weapons Act 1990**;

machete safe disposal bin means a receptacle designed or adapted to collect a machete for the purposes of the machete amnesty;

machete amnesty means the amnesty referred to in clause 6; and

person conducting a business or undertaking has the same meaning as in section 5(1) of the **Work Health and Safety Act 2011** of the Commonwealth.

5 Continuing amnesty to surrender a prohibited weapon or body armour to police

- (1) A person who possesses or carries a prohibited weapon or body armour solely for the purpose of surrendering the prohibited weapon or body armour to a police officer is exempt from sections 5(1A), 5AA, 5AB(1) and 8A(1)(d) of the Act.
- (2) This exemption is limited to a person who makes a prior arrangement with a police officer to voluntarily surrender the prohibited weapon or body armour.
- (3) It is a condition of this exemption that the person must ensure that the prohibited weapon or body armour is concealed from plain sight when in a public place.

6 The machete amnesty

- (1) The function of the *machete amnesty* is to provide for a person to voluntarily surrender a machete to the State.
- (2) A machete is surrendered under the amnesty if the machete is –
 - (a) deposited in a machete safe disposal bin; or
 - (b) voluntarily surrendered to a person authorised by the State to collect a machete under the amnesty; or
 - (c) voluntarily surrendered to police by prior arrangement with a police officer.
- (3) Any other prohibited weapon or body armour is surrendered under the amnesty if deposited in a machete safe disposal bin.
- (4) A person is engaged in the machete amnesty if the person is –
 - (a) contracted to supply goods or services relating to the amnesty;
 - (b) a person conducting a business or undertaking that supplies goods or services to a person engaged in the amnesty; or
 - (c) acting in the course of their employment for a person engaged in the amnesty.

SPECIAL

7 Person who surrenders a machete under the machete amnesty

- (1) A person who possesses or carries a machete solely for the purpose of surrendering the machete under the machete amnesty is exempt from sections 5(1A) and 5AA of the Act.
- (2) It is a condition of this exemption that the person must ensure that the machete is concealed from plain sight when in a public place.
- (3) This exemption expires on 1 December 2025.

8 Person engaged in machete amnesty

- (1) A person engaged in the machete amnesty is exempt from sections 5(1)(d), 5(1AA) and 5(1AB) of the Act limited to a contract relating to the amnesty.
- (2) A person engaged in the machete amnesty is exempt from sections 5(1A), 5AA, 5AB(1) and 8A(1)(d) of the Act limited to a prohibited weapon or body armour surrendered under the amnesty.
- (3) A person who has lawful possession, custody or control of, or access to, a place at which a machete safe disposal bin is located is exempt from sections 5(1A), 5AA, 5AB(1) and 8A(1)(d) of the Act limited to a prohibited weapon or body armour in a machete safe disposal bin or in the immediate vicinity of a machete safe disposal bin.
- (4) In this clause, it is a condition of an exemption that a person other than a person engaged in the machete amnesty must not take actual physical possession of a prohibited weapon or body armour except if the prohibited weapon or body armour is immediately placed in a machete safe disposal bin or surrendered to a police officer.
- (5) This exemption expires on 1 December 2026.

Notes:

1. An exemption in this Order does not apply to a person who is a prohibited person within the meaning of section 3(1) of the **Firearms Act 1996**.
2. In the Act, **public place** has the same meaning as it has under the **Summary Offences Act 1966** and also includes a non-government school.

Dated: 1 July 2025

Responsible Minister:

HON ANTHONY CARBINES MP
Minister for Police

ANGELA SMITH
Clerk of the Executive Council

Control of Weapons Act 1990**PROHIBITED WEAPONS EXEMPTION – MACHETE – AGRICULTURE****Order in Council**

The Governor in Council, under section 8B of the **Control of Weapons Act 1990** makes the following Order:

1 Objective

The Objective of this Order is to exempt a person engaged in agriculture from offences against the **Control of Weapons Act 1990** in relation to a prohibited weapon that is a machete and to specify conditions and limitations to which the exemption is subject.

2 Authorising provision

This Order is made under section 8B of the **Control of Weapons Act 1990**.

3 Commencement

This Order comes into operation on the day it is published in the Government Gazette.

4 Definitions

In this Order –

Act means the **Control of Weapons Act 1990**;

agriculture includes, without limitation, horticulture or the production of food;

approval means an approval granted by the Chief Commissioner of Police under section 8C of the Act;

education and training means –

- (a) adult, community and further education (within the meaning of the **Education and Training Reform Act 2006**); and
- (b) education and training provided by a post-secondary education provider or a recognised University (within the meaning of sections 1.1.3(1) and 4.1.1(1) of the **Education and Training Reform Act 2006**);

exemption means an exemption –

- (a) under section 7A of the Act that applies to a health service worker;
- (b) under section 7B of the Act that applies to a person exercising power under the **Education and Training Reform Act 2006**; and
- (c) granted by the Governor in Council under section 8B of the Act;

foreign jurisdiction means a jurisdiction other than Victoria; and

person conducting a business or undertaking has the same meaning as in section 5(1) of the **Work Health and Safety Act 2011** of the Commonwealth.

5 Use of a machete in agriculture

- (1) This exemption applies in relation to a prohibited weapon that is a machete.
- (2) A person conducting a business or undertaking that engages in agriculture is exempt from –
 - (a) sections 5(1), 5(1A) and 5AA of the Act in the case of an individual under the age of 18 years; and
 - (b) sections 5(1), 5(1AA), 5(1AB), 5(1A) and 5AA of the Act in any other case.
- (3) A person acting in the course of their employment in a business or undertaking or for a person referred to in paragraph (2) is exempt from –
 - (a) sections 5(1), 5(1A) and 5AA of the Act in the case of an individual under the age of 18 years; and
 - (b) sections 5(1), 5(1AA), 5(1AB), 5(1A) and 5AA of the Act in any other case.

- (4) A person engaged in education or training relating to agriculture is exempt from –
 - (a) sections 5(1), 5(1A) and 5AA of the Act in the case of an individual under the age of 18 years; and
 - (b) sections 5(1), 5(1AA), 5(1AB), 5(1A) and 5AA of the Act in any other case.
- (5) It is a condition of the exemption from sections 5(1)(d), 5(1A) and 5AA of the Act that the person must ensure that the prohibited weapon is –
 - (a) stored safely and securely;
 - (b) displayed for sale, possessed, carried or used in a manner calculated to ensure that the prohibited weapon is not readily accessible to a person without an exemption or an approval; and
 - (c) concealed from plain sight –
 - (i) if the prohibited weapon is on display for sale, after the prohibited weapon ceases to be on display for sale; and
 - (ii) if the prohibited weapon is in use in a public place, after the prohibited weapon ceases to be in use in the public place.

Notes:

1. An exemption in this Order does not apply to a person who is a *prohibited person* within the meaning of section 3(1) of the **Firearms Act 1996**.
2. In the Act, *public place* has the same meaning as it has under the **Summary Offences Act 1966** and also includes a non-government school.
3. Sections 5A and 5B of the Act requires the seller of a prohibited weapon to identify a purchaser and to keep a record of the sale prescribed by the Regulations.

Dated: 1 July 2025

Responsible Minister:

HON ANTHONY CARBINES MP

Minister for Police

ANGELA SMITH
Clerk of the Executive Council

Control of Weapons Act 1990**PROHIBITED WEAPONS EXEMPTION – MACHETE – TRADITIONAL, HISTORICAL OR CULTURAL SIGNIFICANCE OR OTHER EXEMPTION****Order in Council**

The Governor in Council, under section 8B of the **Control of Weapons Act 1990** makes the following Order:

1 Objective

The Objective of this Order is to grant an exemption under the **Control of Weapons Act 1990** for a machete that has a traditional, historical or cultural significance, to a class of person who engages in a traditional, historical or cultural practice with a machete, and to a class of person referred to in a relevant Order as a person with an exemption for a sword, dagger, or other prohibited weapon.

2 Authorising provision

This Order is made under section 8B of the **Control of Weapons Act 1990**.

3 Commencement

This Order comes into operation on the day it is published in the Government Gazette.

4 Definitions

In this Order –

Act means the **Control of Weapons Act 1990**;

approval means an approval granted by the Chief Commissioner of Police under section 8C of the Act;

exemption includes an exemption –

- (a) under section 7A of the Act that applies to a health service worker;
- (b) under section 7B of the Act that applies to a person exercising power under the **Education and Training Reform Act 2006**; and
- (c) granted by the Governor in Council under section 8B of the Act;

relevant Order has the meaning given in paragraph 6(5).

5 Machete with a traditional, historical or cultural significance

- (1) This exemption applies in relation to –
 - (a) a machete that has a traditional, historical or cultural significance; and
 - (b) a person who engages in a traditional, historical or cultural practice with a machete.
- (2) An individual under the age of 18 years is exempt from sections 5(1A) and 5AA of the Act.
- (3) A person other than an individual under the age of 18 years is exempt from sections 5(1), 5(1AA), 5(1AB), 5(1A) and 5AA of the Act.
- (4) An exemption from sections 5(1A) and 5AA of the Act is limited so that a person must not possess, carry or use a machete other than –
 - (a) at the person's residence; or
 - (b) in connection with an activity of an identified community or group for whom the machete has a traditional, historical or cultural significance.

Examples:

- 1. A machete may be used in the traditional Mexican folk dance known as *Los Machetes*.
- 2. A nifo'oti is type of machete that has a traditional, historical and cultural significance to Samoa and is used to signify the conclusion of certain celebrations and rituals.

- (5) It is a condition of the exemption from sections 5(1)(d), 5(1A) and 5AA of the Act that the person who possesses the machete must ensure that the machete is –
 - (a) stored safely and securely;
 - (b) displayed for sale, possessed, carried or used in a manner calculated to ensure that the machete is not readily accessible to a person without an exemption or an approval; and
 - (c) concealed from plain sight –
 - (i) if the machete is on display for sale, after the machete ceases to be on display for sale; and
 - (ii) if the person is in a public place, after the person ceases to use the machete in the public place.
- (6) In this exemption, a machete that has a traditional, historical or cultural significance to an identifiable community or group includes a machete connected with –
 - (a) Aboriginal intangible heritage (within the meaning of section 4(1) of the **Aboriginal Heritage Act 2006**); and
 - (b) intangible cultural heritage (within the meaning of Article 2 of the UNESCO Convention of the Safeguarding of the Intangible Cultural Heritage).

6 Person with exemption to possess a sword, dagger or other prohibited weapon

- (1) This exemption applies to a person who is referred to in a relevant Order as a person who is exempt from any of sections 5(1), 5(1AA), 5(1AB), 5(1A), or 5AA of the Act for or in relation to a prohibited weapon.
- (2) An individual under the age of 18 years referred to in a relevant Order is exempt from sections 5(1A) and 5AA of the Act according to the tenor of the relevant Order as if a reference to a prohibited weapon were a reference to a machete.
- (3) A person other than an individual under the age of 18 years referred to in a relevant Order is exempt from sections 5(1), 5(1AA), 5(1AB), 5(1A), and 5AA of the Act according to the tenor of the relevant Order as if a reference to a prohibited weapon were a reference to a machete.
- (4) It is a condition of the exemption from sections 5(1)(d), 5(1A) and 5AA of the Act that the person who possesses a machete must ensure that the machete is –
 - (a) stored safely and securely;
 - (b) displayed for sale, possessed, carried or used in a manner calculated to ensure that the machete is not readily accessible to a person without an exemption or an approval; and
 - (c) concealed from plain sight –
 - (i) if the machete is on display for sale, after the machete ceases to be on display for sale; and
 - (ii) if the machete is used in a public place, after the person ceases to use the machete.
- (5) In this exemption, a reference to a person in a relevant Order means a person referred to in any of the following Orders as varied from time to time –
 - (a) the Order titled ‘GENERAL EXEMPTION TO POSSESS SWORDS’ dated 3 June 2014 and published on pages 1156 to 1159 of the Victoria Government Gazette No. G 23 on 5 June 2014, other than a person referred to in the following items in the Table to that Order –
 - (i) item 7. A person aged 18 years or over who is a member of a Lodge or Order listed in Schedule 1 to the Order;
 - (ii) item 9. A person aged 18 years or over who is an active member of the Scout Association of Australia;

- (iii) item 10. A person aged 18 years or over who is a participant in activities associated with Scottish Highland Dancing; a member of a Highland Pipe Band; or a member of a member band of Pipe Bands Victoria;
- (iv) item 11. A person aged 18 years or over who is a participant in a dance group listed in Schedule 2 to the Order;
- (v) item 13. A Sikh aged 18 years or over whose religious practices require the carriage and possession of a Kirpan (a specific type of sword);
- (vi) item 14. A person aged under 18 years who is a member of an organisation, group or religion specified in items 7, 9, 10, 11 or 13;
- (b) the Order titled 'EXEMPTION TO POSSESS SWORDS–RE-ENACTORS AND COLLECTORS' dated 3 June 2014 and published on pages 1160 to 1164 of the Victoria Government Gazette No. G 23 on 5 June 2014 as amended by the Order of the Governor in Council titled 'ADDITIONAL EXEMPTIONS TO POSSESS SWORDS, DAGGERS AND IMITATION FIREARMS – RE-ENACTORS, COLLECTORS AND MARTIAL ARTS PRACTITIONERS' dated 8 November 2017 and published on pages 2440 to 2441 of the Victoria Government Gazette No. G 45 on 9 November 2017;
- (c) the Order titled 'EXEMPTION TO POSSESS SWORDS–MARTIAL ARTS' dated 3 June 2014 and published on pages 1165 to 1168 of the Victoria Government Gazette No. G 23 on 5 June 2014 as amended by the Order of the Governor in Council titled 'ADDITIONAL EXEMPTIONS TO POSSESS SWORDS, DAGGERS AND IMITATION FIREARMS–RE-ENACTORS, COLLECTORS AND MARTIAL ARTS PRACTITIONERS' dated 8 November 2017 and published on pages 2440 to 2441 of the Victoria Government Gazette No. G 45 on 9 November 2017; and as varied by the Order of the Governor in Council titled 'PROHIBITED WEAPONS EXEMPTION – VARIATION TO EXEMPTION TO POSSESS SWORDS – MARTIAL ARTS' dated 27 August 2024 and published on page 1763 of the Victoria Government Gazette No. G 35 on 29 August 2024;
- (d) the Order titled EXEMPTION TO POSSESS CROSSBOWS dated 3 June 2014 and published on pages 1169 to 1173 of the Victoria Government Gazette No. G 23 on 5 June 2014, other than a person referred to in the following items in the Table to the Order –
 - (i) item 4. A person aged 18 years or over who is member of a target shooting or hunting organisation listed in Schedule 1;
 - (ii) item 6. A person aged under 18 years who is a member of an organisation or group specified in item 4;
 - (iii) item 7. A person aged 18 years or over who is a veterinarian;
- (e) the Order titled 'EXEMPTION TO POSSESS PROHIBITED WEAPONS – THE RETURNED AND SERVICES LEAGUE (RSL)' dated 3 June 2014 and published on pages 1174 to 1176 of the Victoria Government Gazette No. G 23 on 5 June 2014;
- (f) the Order titled 'EXEMPTION TO POSSESS DAGGERS' dated 3 June 2014 and published on pages 1177 to 1182 of the Victoria Government Gazette No. G 23 on 5 June 2014 as amended by the Order of the Governor in Council titled 'ADDITIONAL EXEMPTIONS TO POSSESS SWORDS, DAGGERS AND IMITATION FIREARMS–RE-ENACTORS, COLLECTORS AND

MARTIAL ARTS PRACTITIONERS' dated 8 November 2017 and published on pages 2440 to 2441 of the Victoria Government Gazette No. G 45 on 9 November 2017, other than a person referred to in the following items in the Table to the Order –

- (i) item 5. A person aged 18 years or over who wears a Sgian Dubh (dagger) as part of ceremonial or traditional Scottish Highland dress;
- (ii) item 10. A person aged under 18 years who is a member of an organisation or group specified in item 5; or
- (g) the Order titled 'EXEMPTION TO POSSESS THROWING BLADES, MACES AND FLAILS – RE-ENACTMENT ORGANISATIONS' dated 3 June 2014 and published on pages 1183 to 1186 of the Victoria Government Gazette No. G 23 on 5 June 2014 as amended by the Order of the Governor in Council titled 'ADDITIONAL EXEMPTIONS TO POSSESS SWORDS, DAGGERS AND IMITATION FIREARMS–RE-ENACTORS, COLLECTORS AND MARTIAL ARTS PRACTITIONERS' dated 8 November 2017 and published on pages 2440 to 2441 of the Victoria Government Gazette No. G 45 on 9 November 2017.

Notes:

- 1. An exemption in this Order does not apply to a person who is a *prohibited person* within the meaning of section 3(1) of the **Firearms Act 1996**.
- 2. In the Act, *public place* has the same meaning as it has under the **Summary Offences Act 1966** and also includes a non-government school.
- 3. Sections 5A and 5B of the Act requires the seller of a prohibited weapon to identify a purchaser and to keep a record of the sale prescribed by the Regulations.

Dated: 1 July 2025

Responsible Minister:

HON ANTHONY CARBINES MP

Minister for Police

ANGELA SMITH
Clerk of the Executive Council

This page was left blank intentionally

This page was left blank intentionally

This page was left blank intentionally

ive

The *Victoria Government Gazette* is published by IVE Group Limited with the authority of the Government Printer for the State of Victoria

© State of Victoria 2025

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all enquiries to the Government Printer for the State of Victoria

Level 2, 1 Macarthur Street

Melbourne 3002

Victoria, Australia

How To Order



**Retail &
Mail Sales**

Victoria Government Gazette

Ground Floor, Building 8,
658 Church Street,
Richmond 3121



**Telephone
email**

03 8523 4601

gazette@ivegroup.com.au

Price Code A