

MORNINGTON SPECIAL DEVELOPMENTAL SCHOOL

Firearms, Controlled and Prohibited Weapons



FIREARMS ¹

The Firearms Act 1996 renders the possession, carrying and use of a range of different types of firearms (including **inoperable firearms**), registered and unregistered an offence. This Act also prohibits the use or carrying of a loaded firearm in certain places including a 'populous place' such as a school -unless the person has written approval from the Chief Commissioner of Victoria Police or an exemption under section 130 of that Act.

AMMUNITION ²

The carrying and possession of ammunition is controlled by the *Firearms Act 1996*. It is an offence to possess or carry ammunition without a licence under the Act.

CONTROLLED WEAPONS ³

- Spear gun
- **Baton** or **Cudgel**, being a short stout stick made of any material designed as a weapon, including the weapon commonly known as a "police nightstick".
- **Bayonet**, being a thrusting, striking or cutting weapon designed to be attached to a firearm.
- Cattle prod

PROHIBITED WEAPONS ⁴

Flick knife, being a knife designed or adapted so that the blade is concealed when folded or recessed into the handle and which opens by gravity or centrifugal force or by any pressure applied to a button, spring or device in or attached to the handle of the knife.

Imitation firearm, being a device, (a) the appearance of which could reasonably be mistaken for that of an operable firearm; (b) which is not designed or adapted to discharge shot or a bullet or other missile by the expansion of gases produced in the device by the ignition of strongly combustible materials or by compressed air or other gases, whether stored in the device in pressurised containers or produced in the device by mechanical means and is not capable of being made to do so.

Dagger, being a sharp pointed stabbing instrument (other than an oyster knife), ordinarily capable of being concealed on the person and having,

- (a) a flat blade with cutting edges (whether serrated or not serrated) along the length of both sides, or
- (b) a needle-like blade, the cross section of which is elliptical or has 3 or more sides, but not including instruments such as swords or bayonets.

Knuckle knife, being an open or exposed blade or similar instrument attached to a handle that is designed or adapted to be held between the knuckles (including the device commonly known as the "Urban Pal Knife").

An article that is designed to include a concealed knife or sword blade, including but not limited to,

- (a) a **belt or similar article** designed or adapted to hold a knife, dagger or similar instrument so that the presence of the knife, dagger or similar instrument is concealed or disguised as part of the belt or similar article when it is worn (for example an article known as the "Bowen Knife Belt")

¹ Section 130 *Firearms Act 1996*

² Section 124 *Firearms Act 1996*

³ Schedule 2 Control of Weapons Regulations 2011

⁴ Section 5 Control of Weapons Act 1990 and Schedule 3 Control of Weapons Regulations 2011

- (b) a **swordstick**, being a cane, stick or similar article designed or adapted to hold the blade of a sword so that it is concealed from view until withdrawn from the cane, stick or article
- (c) a **riding crop** designed or adapted to hold a blade or spike so that it is concealed from view until withdrawn from the crop.

Butterfly knife, being a knife with a 2-piece handle that folds together to cover both edges of the blade whether the blade is serrated or not serrated.

Double-end knife, being a knife that has the appearance of 2 overlapping curved blades joined together so as to form an ellipse shape.

Blow gun, being a blow pipe or similar device or instrument designed to propel an arrow, dart or similar projectile by air expelled from the mouth.

A **dart** designed to be projected from a blow gun or similar device.

A **hunting sling or slingshot** designed or adapted to be used with an arm brace which fits or rests on the forearm to support the wrist from the tension of the elastic material used to propel the projectile (including the device commonly known as the "Saunders Falcon Hunting Sling").

A **catapult, shanghai or hunting sling** (without arm brace described in item 16) that is manufactured and intended for commercial distribution.

A **dart projector** (for example, an article commonly known as the "Darchery Dartslinger") or any similar device that is manufactured and intended for commercial distribution.

A **slingshot** that is manufactured and intended for commercial distribution.

An article designed or adapted to discharge oleoresin capsicum spray.

An article designed or adapted to emit or discharge an offensive, noxious or irritant liquid, powder, gas or chemical so as to cause disability, incapacity or harm to another person.

An article designed or adapted to emit an electric current into a human body for the purposes of incapacitation or injury.

An acoustic anti-personnel device that is designed to cause permanent or temporary incapacity or disability, or to otherwise physically disorientate a person.

Shark Dart or any other similar device that is designed to expel, on or after contact, any gas or other substance capable of causing bodily harm.

Extendable baton, being a baton designed or adapted so that the length of the baton extends by gravity or centrifugal force or by any pressure applied to a button, spring or device in or attached to the handle of the baton.

Knuckleduster, being a device or instrument designed or adapted to be worn across a knuckle or knuckles of the hand, finger, fingers or thumb so as to:

- (a) increase the force or impact of a punch or blow when striking another person with that hand, finger, fingers or thumb, or
- (b) protect the knuckle or knuckles from injury when striking another person with that hand, finger, fingers or thumb.

Weighted glove, being a glove or any other similar article designed or constructed to be used as a weapon (including a fingerless glove) that has weighted material sewn into it to increase the effect of a punch or blow.

Studded glove, being a glove or any other similar article designed or constructed to be used as a weapon (including a fingerless glove), that has a number of raised studs or spikes made of a hard substance and positioned over the back of the glove to increase the effect of a punch or blow.

A **mace or any other similar article** capable of causing injury that consists of a club or staff fitted with a flanged or spiked head, other than a ceremonial mace made for and used solely as a symbol of authority on ceremonial occasions.

A **flail or any other similar article** that consists of a staff or handle that has fitted to one end, by any means, a freely swinging striking part that is armed with spikes or studded with any protruding matter.

A **whip** with metal lashes.

A **cat-o'-nine-tails** with knotted lashes.

A hand-held battery-operated article commonly known as a "laser pointer" designed or adapted to emit a laser beam with an accessible emission limit of greater than 1 mW.

An article that consists of a baton or stick constructed in such a way that it can be unscrewed or broken so as to form two or more parts joined by chain, rope or cord, including the martial arts weapons known as "Baton-chucks" or "Bo-chucks".

A **scythe or sickle-shaped** article designed as a weapon that has a fixed or folding blade, and which may or may not have a chain attached, including the martial arts weapon known as "Kama".

An article consisting of a chain, rope or cord with a wooden or metal baton, stick or rod attached at each end, including the martial arts weapons known as "Kasari-Fundo", "Kusari-Fundo" and "Manrikigusari".

A **stick or rod** of any material designed as a weapon to be applied to the pressure points of the human body, including the martial arts weapon known as "Kubotan".

An article designed to be attached to, or worn on, the hands or feet, that has claws attached, including the martial arts weapons known as "ninja climbing claws", "ninja hand claws" and "ninja foot claws".

An article that consists of two sticks, rods or batons joined by a cord, rope or chain including the martial arts weapon known as "Nunchaku".

Sai or Jitte, being a short, tapered, metal rod, dull at the point, with flared metal prongs guarding the handle.

An article consisting of a curved blade pointed at both ends with a handle attached to the middle, including the martial arts weapon known as "Suan Ywe Gou".

An article consisting of a blade or blades with cord, rope or chain attached for the purpose of enabling the blade to be thrown and retrieved, including the martial arts weapon known as "Shoge", "ninja Kyokeysu-Shoge" or "Kyotetsu Shoge".

Throwing star, being a sharpened star-shaped article designed for throwing, including the martial arts weapon known as "Surikan", "Suriken" or "Shaken" (including where the throwing star is attached to a belt-buckle).

An article consisting of a handle and an edged blade, joined by chain or a combination of chain and metal pieces or steel rods, designed to be used as a whip, including the martial arts weapon commonly known as "Chinese whip", "whip spear", "7 piece iron chain", "9 piece iron chain", "Bian Tzu Chiang" or "Lien Tzu Chiang".

The martial arts weapon known as a "Butterfly Sword".

The martial arts weapon known as a "Tonfa".

Sword, being a thrusting, striking or cutting weapon with a long blade having 1 or 2 edges and a hilt or handle.