

LEGISLATIVE COUNCIL

**POLICE AND EMERGENCY MANAGEMENT LEGISLATION AMENDMENT  
BILL 2012**

(Amendments and New Clauses to be proposed in Committee by Mr DALLA-RIVA)

1. Clause 1, line 25, omit "area." and insert "area; and".
2. Clause 1, after line 25 insert—

"(e) to amend the **Control of Weapons Act 1990** to further provide for the granting of exemptions, approvals and search warrants under that Act in respect of prohibited weapons and to make other amendments to that Act."
3. Clause 2, lines 27 to 29, omit all words and expressions on these lines and insert—

"(1) This Part comes into operation on the day on which this Act receives the Royal Assent.

(2) Sections 11, 12, 13, 14 and 17 are taken to have come into operation on 16 May 2012.

(3) Parts 2, 3, 4 and 7 and the remaining provisions of Part 6 come into operation on the day after the day on which this Act receives the Royal Assent."
4. Clause 2, line 30, omit "(3)" and insert "(5)".
5. Page 9, before the heading to Part 6 insert—

**"PART 6—AMENDMENTS TO CONTROL OF WEAPONS  
ACT 1990"**.

NEW CLAUSES

6. Insert the following New Clauses to follow the heading inserted by Amendment No. 5—

**'AA Exemption of health service workers**

(1) In section 7A(1) of the **Control of Weapons Act 1990** after "section 5," insert "5AA, 5AB(1),".

(2) In section 7A(2) of the **Control of Weapons Act 1990** after "section 5," insert "5AA, 5AB(1),".

**BB Exemption of person exercising power under the Education and Training Reform Act 2006**

In section 7B(1) of the **Control of Weapons Act 1990** after "section 5," insert "5AA, 5AB(1),".

**CC Exemptions for prohibited weapons and body armour**

In section 8B(1)(a) of the **Control of Weapons Act 1990** after "(except section 5(1AC) or (1AD))" insert ", 5AA, 5AB(1)".

**DD Approvals for prohibited weapons and body armour**

In section 8C(1) of the **Control of Weapons Act 1990**, after "(except section 5(1AC) or (1AD))" insert ", 5AA, 5AB(1)".

**EE Power to require production of approval**

In section 8G(1)(a) of the **Control of Weapons Act 1990** after "section 5" insert ", 5AA or 5AB(1)".

**FF Warrant to search**

In section 11(1) of the **Control of Weapons Act 1990**, after "section 5" (wherever occurring) insert ", 5AA or 5AB".

**GG New section 17 inserted**

After section 16 of the **Control of Weapons Act 1990** insert—

**"17 Savings provision—Police and Emergency Management Legislation Amendment Act 2012**

- (1) On and from the commencement of section 4 of the **Control of Weapons and Firearms Acts Amendment Act 2012**, any Order made by the Governor in Council under section 8B(1), being an Order in force immediately before that commencement exempting a class of person, or a class of prohibited weapons (other than imitation firearms) or a corrections officer, military officer or police officer from any provision of section 5(1) is taken also to have the effect of an exemption from the provisions of section 5AA, to the same extent as that Order has provided for an exemption from the provisions of section 5(1).
- (2) On and from the commencement of section 4 of the **Control of Weapons and Firearms Acts Amendment Act 2012**, any Order made by the Governor in Council under section 8B(1), being an Order in force immediately before that commencement exempting a class of person, or a class of prohibited weapons (being imitation firearms) or a corrections officer, military officer or police officer from any provision of section 5(1) is taken also to have the effect of an exemption from the provisions of section 5AB(1), to the same extent as that Order has provided for an exemption from the provisions of section 5(1).
- (3) On and from the commencement of section 4 of the **Control of Weapons and Firearms Acts Amendment Act 2012**, any approval granted by the Chief

Commissioner under section 8C, being an approval in force immediately before that commencement, that—

- (a) in relation to prohibited weapons (other than imitation firearms), approves a person to do anything that is otherwise prohibited by any provision of section 5 (except section 5(1A) or (1D)) is taken also to have the effect of an approval to do anything otherwise prohibited by any provision of section 5AA, to the same extent as the approval provides for section 5(1); or
- (b) in relation to imitation firearms, approves a person to do anything that is otherwise prohibited by any provision of section 5 (except section 5(1A) or (1D)) is taken also to have the effect of an approval to do anything otherwise prohibited by any provision of section 5AB(1), to the same extent as the approval provides for section 5(1).".

7. Page 9, heading to Part 6, omit "6" and insert "7".

AMENDMENT OF LONG TITLE

8. In the long title, after "area" insert "and to amend the **Control of Weapons Act 1990**".