

Daylight Lasers

Are you carrying and using a Prohibited Weapon?

Under Victorian legislation, the Control of Weapons Regulations 2000 (17 December 2000), any 'daylight' lasers stronger than 1mW became a 'Prohibited Weapon'. The Schedule 2 to these regulations defines what is a prohibited weapon and states "Regulation 6 - 33. 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."

The Control of Weapons Act 1990 (1 January 2010) Section 5 - Prohibited weapons states that

"(1) A person must not—

(a) bring into Victoria; or (b) cause to be brought into or sent into Victoria; or (c) manufacture, sell or purchase; or (d) display or advertise for sale; or (e) possess, use or carry—a prohibited weapon without an exemption under section 8B or an approval under section 8C." The penalty for this offense is 240 penalty units or imprisonment for 2 years.

That's the bad news!! The good news is that you can apply for a permit to continue your 'lawful' use of these Lasers by applying for a permit the same as you would for a firearm. You can apply for a permit to use a 'daylight' laser from Victoria Police and the forms are available online from the Victoria Police web site at http://www.police.vic.gov.au/content.asp?Document_ID=3924

This will cost you approximately \$150 if you do not already hold a Firearms License. If you have any issue with accessing or the content of these applications, please email licensing@police.vic.gov.au.

The act is available at the Victorian Law Library and can be found at <http://www.legislation.vic.gov.au/> and search on 'Control of Weapons Regulations 2000'.

If you have one of these 'Daylight' green or red lasers and you don't have a permit, you can:

- Continue to use it without a permit and face a hefty fine or 2 years in jail;
- Not use it anymore (but don't sell it or give it away!
- Apply for a permit through Victoria Police.

