



Minister for Police and Community Safety

Ref: 9266 P24 JR TMc

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Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

I refer to petition numbered 1906-12 lodged with the Legislative Assembly on 13 June 2012. The principal petitioner is Mr Daniel Richards of Wellington Point.

Petition 1906-12 calls for the current *Weapons Act 1990*, the state firearms legislation, to be amended to allow for the possession and use of some classes of Airsoft firearms by appropriately licensed individuals and entities.

I referred this matter to the Queensland Police Service (QPS) which advises that 'Airsoft' firearms fall within the legislated definition of a firearm due to their capacity to fire a projectile which is capable of causing injury. The QPS advises that although the projectiles may be of light material, they still have the potential to cause injury in the same manner as that of paint ball pellets. I also understand that at this time, the sport of 'Airsoft tagging' is not provided for under the current weapons legislation and that these firearms are not suitable to be licensed or registered in Queensland. As such there is a real danger of 'Airsoft' firearms being misused by unauthorised persons.

I am further advised that due to the degree of similarity in design and construction, the majority of 'Airsoft' firearms are either Category H weapons (concealable handguns), Category D weapons (duplicates a self-loading centre fire rifle designed or adapted for military use) or Category R weapons (replica or reasonable facsimile of a machine gun or submachine gun) as defined in the *Weapons Categories Regulation 1997*. As such, 'Airsoft' firearms are subject to the same licensing and registration requirements as other weapons.

The *Weapons Regulation 1996* specifically provides that Category H weapons cannot be used for the purpose of recreational shooting and Category D weapons may only be possessed by a person who, in their employment or business, has a need for the Category D weapon for animal culling. Category R weapons may only be possessed in a permanently inoperable condition by licensed collectors. There are currently no approved shooting ranges or recognised shooting matches in Queensland approved for the use of 'Airsoft' firearms in sports or target shooting.

The importation of firearms into Australia is controlled under the provisions of the *Customs (Prohibited Imports) Regulations 1956* (Commonwealth). Under these regulations 'Airsoft' firearms are classified as a prohibited item. A person wishing to import an 'Airsoft' firearm into Australia must, prior to importation, have written permission from the Commonwealth Attorney-General's Department.

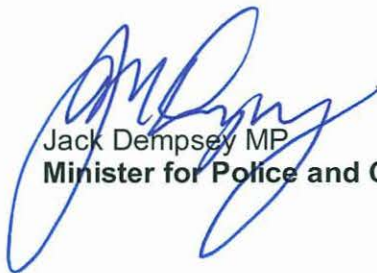
With respect to other jurisdictions, I am advised that in New Zealand, 'Airsoft' firearms may be possessed provided that the person is the holder of an appropriate licence and has access to a suitable storage facility.

The configuration of weapons used in paint-pellet sports facilitates their classification as Category A weapons as described in section 2(1)(b) of the *Weapons Categories Regulation 1997*. If a paint-pellet sports weapon is a Category D, H or R weapon then the licensing and registration requirements applicable to that category of weapon would apply. As 'Airsoft' firearms are classified as weapons the penalties for their misuse and unlawful possession apply.

You may note that the Government is planning a number of amendments to the *Weapons Act 1990* relating to increased penalties for offences involving the unlawful possession and use of illegal firearms.

I trust this information is of assistance. Should Mr Richards have any further inquiries regarding this matter, Inspector Craig Rolls, Manager, Weapons Licensing, QPS, is available on telephone (07) 3015 7771.

Yours sincerely



Jack Dempsey MP
Minister for Police and Community Safety