



New South Wales

Weapons Prohibition Amendment (Laser Pointers) Regulation 2008

under the

Weapons Prohibition Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Weapons Prohibition Act 1998*.

DAVID CAMPBELL, M.P.,
Minister for Police

Explanatory note

The objects of this Regulation are:

- (a) to add laser pointers, and similar laser emitting devices, with a power output of more than 1 milliwatt to the list of prohibited weapons in Schedule 1 to the *Weapons Prohibition Act 1998*, and
- (b) to provide an exemption from the requirement to obtain a permit for any such device for a person who obtained the device before 18 July 2008 (the day on which this Regulation commences), until 1 December 2008 or until such time as the person obtains a permit, whichever occurs first, and
- (c) to provide an exemption from the requirement to obtain a permit for any such device for members of astronomical organisations that are approved by the Commissioner of Police, but only for the purpose of enabling the person to take part in activities associated with astronomy.

This Regulation is made under the *Weapons Prohibition Act 1998*, including sections 5 and 50 (the general regulation-making power).

Clause 1 Weapons Prohibition Amendment (Laser Pointers) Regulation 2008

Weapons Prohibition Amendment (Laser Pointers) Regulation 2008

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1 Name of Regulation

This Regulation is the *Weapons Prohibition Amendment (Laser Pointers) Regulation 2008*.

2 Commencement

This Regulation commences on 18 July 2008.

3 Amendment of Weapons Prohibition Act 1998 No 127

Schedule 1 to the *Weapons Prohibition Act 1998* is amended by inserting after clause 4 (7):

- (8) A **laser pointer**, or any other similar article, that consists of a hand-held battery-operated device with a power output of more than 1 milliwatt, designed or adapted to emit a laser beam and that may be used for the purposes of aiming, targeting or pointing.

4 Amendment of Weapons Prohibition Regulation 1999

The *Weapons Prohibition Regulation 1999* is amended as set out in Schedule 1.

Weapons Prohibition Amendment (Laser Pointers) Regulation 2008

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Schedule 1 Persons exempt from requirement for permit

Insert after clause 7:

8 Possession and use of laser pointers

- (1) A person who acquired a laser pointer before 18 July 2008 is exempt from the requirement under the Act for a permit to possess or use the laser pointer until 1 December 2008 or such time as the person acquires such a permit, whichever occurs first.
- (2) Despite subclause (1), a person who is (or has been within an approved period) a member of an approved astronomical organisation is exempt from the requirement under the Act for a permit to possess or use a laser pointer, but only for the purpose of enabling the person to take part in activities associated with astronomy.
- (3) In this clause:
laser pointer means a prohibited weapon referred to in clause 4 (8) of Schedule 1 to the Act.