



NSW Police Force
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What's New

Exemption – Laser Target Shooting Devices (Imitation Firearms) - Biathlons and Pentathlons

This document contains information on the exemption relating to imitation firearms that are laser target shooting devices used for biathlons and pentathlons - clause 136 of the *Firearms Regulation 2017* relates.

What is a laser target shooting device?

A laser target shooting device falls within the definition of an *imitation firearm* as described by section 4D of the *Firearms Act 1996*. Persons who seek to possess or use an imitation firearm are ordinarily required to be authorised by a permit.

The *Firearms Regulation 2017* has recently been amended to include an exemption from the requirement to be authorised by a permit and the information provided below provides further guidance of its application:

Who is afforded an exemption?

For persons over the age of 18 years:

- A person who is or has within the previous 5 years been a participant, athlete, coach or official involved in a biathlon or modern pentathlon event, training session or competition.

For persons under the age of 18 years (young person):

- A person who is or has within the previous 5 years been a participant, athlete, coach or official involved in a biathlon or modern pentathlon event, training session or competition.

Note: A young person must be supervised in accordance with clause 156 of the *Firearms Regulation 2017* by a person over the age of 18 years who is also afforded an exemption (refer to 'For persons over the age of 18 years' above). See below for details of the supervision requirements for young persons.

A parent, guardian or coach of a young person (as referred to above):

- If the acquisition or possession is to enable the young person to participate in the sport of biathlon or modern pentathlon.

Note: '**Participate**' in relation to the sport of biathlon or modern pentathlon, includes receive instruction in, practice, train, coach or compete in the sport.

What does the exemption cover?

Persons over the age of 18 years who are afforded an exemption are not required to be authorised by a permit to acquire, supply (including advertise for supply), possess or use an imitation firearm that is a biathlon or modern pentathlon laser target shooting device. The exemption for the acquisition, supply, possession and use of an imitation firearm is to enable the person to participate in the sport of biathlon or modern pentathlon.

Young persons who are afforded an exemption are not required to be authorised by a permit to possess or use an imitation firearm that is a biathlon or modern pentathlon laser target shooting device. The exemption for the possession and use of an imitation firearm is to enable the person to participate in the sport of biathlon or modern pentathlon.

A parent, guardian or coach of a young person who is afforded an exemption is not required to be authorised by a permit to acquire or possess an imitation firearm that is a biathlon or modern pentathlon laser target shooting device. The exemption for the acquisition or possession of an imitation firearm is to enable the young person to participate in the sport of biathlon or modern pentathlon.

What are the supervision requirements for young persons?

A young person must be supervised by a person over the age of 18 years who is also afforded an exemption (supervisor). The young person must at all times be in the direct line of sight and the supervisor must at all times be ready and able to give directions and render immediate assistance to the young person. The supervision is to be at a level that the supervisor reasonably considers to be adequate, taking into account the following relevant factors:

- the young person's general competency and proficiency with an imitation firearm that is a biathlon or modern pentathlon laser target shooting device,
- the number of persons being supervised,
- the effect of the landscape and range configuration on the ability of the supervisor to maintain direct line of sight observation of the persons being supervised and to give directions and render immediate assistance.

Clause 156 of the *Firearms Regulation 2017* relates.

Does an imitation firearm require a permit to acquire and registration?

Persons who are afforded an exemption regarding the acquisition of an imitation firearm are not required to apply for a permit to acquire an imitation firearm. Further, an imitation firearm does not require registration.

What is not covered under the exemption?

Safe storage

The exemption enables the acquisition, supply, possession and use of the imitation firearm that is a biathlon or modern pentathlon laser target shooting device. The exemption does not extend to the safe storage requirements. Accordingly, imitation firearms must be stored in accordance with the legislative requirements. Please refer below:

- An imitation of a category A or B firearm is subject to level 1 safe storage requirements (section 40 of the *Firearms Act 1996*). Refer to FACT Sheet 'Safe Storage Level One – Category A & B Requirements'.
- An imitation of a category C, D or H firearm is subject to the level 2 safe storage requirements (section 41 of the *Firearms Act 1996*). Refer to FACT Sheet 'Safe Storage Level Two – Category C, D & H Requirements'.

Transportation

Imitation firearms must be transported in accordance with the legislative requirements. Please refer below:

- An imitation of a category A or B firearm must be transported in accordance with requirements prescribed in clause 149 of the *Firearms Regulation 2017*.
- An imitation of a category C, D or H firearm must be transported in accordance with the requirements prescribed in clause 148 of the *Firearms Regulation 2017*.

Refer to FACT Sheet 'Transportation of Firearms'.

All FACT Sheets referred to above are available on the 'Safe Storage' page on our website.

Interstate Acquisition

The exemption enables the acquisition of an imitation firearm that is a biathlon or modern pentathlon laser target shooting device without the need for a permit to acquire in NSW. However, if you are seeking to acquire an imitation firearm interstate, it is recommended that you make contact with the relevant jurisdiction to ascertain the requirements for acquisition within that jurisdiction.

Any enquiries on this matter can be submitted via the Contact Us page on this website.