

Information Sheet for Application for Sword Exemption Approval

On June 5, 2014, OMEDA Inc. was granted by Order in Council, a General Exemption Order under Section 8B of the *Control of Weapons Act 1990*, to Possess Swords. OMEDA Inc. is listed under Schedule 2: Dance Organisations.

This information sheet is to inform those dancers/performers who use swords etc as props in their performances of current legislation regarding swords. It is up to the individual dancer/performer to read in detail the specific sections of each Act and how it applies to them. OMEDA accepts no responsibility of any omission of any kind and it is up to the individual to make their own decision regarding this information.

Who should complete this application?

This application for an OMEDA Member Sword Exemption Approval (SEA) is to be completed by current financial OMEDA Members in order to:

- (a) bring into Victoria; **or**
- (b) sell or purchase; **or**
- (c) possess, use or carry,

Prohibited Weapons as defined in the *Control of Weapons Act 1990* and *Control of Weapons Regulations 2011*

Junior applicants aged 12 to 17 are able to apply as Parents/Guardians of junior applicants must also apply for an Approval to possess, carry, and purchase on behalf of the Junior.

How do I complete this application?

- * Each part of this application must be completed.
- * Send the application and copies of supporting documents to the address listed at the top of these Instruction Pages (post or scanned email is acceptable)

Important Information:

* **Prohibited Person:** Sword Exemption Approvals will not be granted to Prohibited Persons as defined under the ¹*Control of Weapons Act 1990 (s3 (1))*, however this will not prejudice them from retaining or becoming a member of OMEDA Inc.

* Any member of OMEDA, who allows their membership to lapse or is rescinded, must dispose of any weapons in their possession as per ²Section 5AA of the *Control of Weapons Act 1990*. If, however, they are a holder of a Chief Commissioner of Police Approval for swords, they are able to retain their swords under that Approval.

Sword/s can be surrendered to either one of the following;

- a) any person who holds a current Chief Commissioners Approval
- b) any person who is a current member of OMEDA
- c) any person/organisation that holds a Governor In Council exemption (GIC) e.g OMEDA.
- d) your local police station (who will destroy the items)

Storage requirements: Swords owned or possessed under this General Exemption Order for Prohibited Weapons must be stored in a manner to ensure that they are not:

- (i) readily accessible to anybody other than holder of the Chief Commissioner's Prohibited Weapons Approval or Government in Council Exemption; or
- (ii) available for possession, carriage or use by a person who is not a holder of a Chief Commissioner's Prohibited Weapons Approval or does not fall within another class of exempt person.

Transportation requirements: Swords owned or possessed whilst a member of OMEDA Inc and holding an SEA must be transported in a manner to ensure that they are stored securely so as to prevent unauthorised access.

¹ *Control of Weapons Act 1990, s.3(1)* definition of *prohibited person*, where "prohibited person" has the same meaning as in *Section 3(1) of the Firearms Act 1996*.

² *Control of Weapons Act 1990, s.5AA* A person must not possess, use or carry a prohibited weapon (other than an imitation firearm) without an exemption under section 8B or an approval under section 8C.

Selling requirements: If you are going to be selling swords whilst a member of OMEDA Inc and holding an SEA you need to be aware of the following;

* An understanding of section 5B of the *Control of Weapons Act 1990* and Section 10 of *Control of Weapons Regulation 2000* and, through this, the need to maintain records of prohibited weapons sold.

* Measures you will take to ensure you do not sell to minors (person under 18 years of age).

* Measures you will take to ensure that any person you sell a Prohibited Weapon to hold the relevant Chief Commissioner's Prohibited Weapons Approval or Governor in Council Exemption (e.g a member of OMEDA Inc).

Where can I get more information?

The Control of Weapons Act 1990 and Control of Weapons Regulations 2011 regulate prohibited weapons within Victoria. It is expected that you have a thorough understanding of the requirements of this legislation. The legislation is available on the internet at the Victorian Law Today website, www.legislation.vic.gov.au.

Control of Weapons Act 1990: http://www.austlii.edu.au/au/legis/vic/consol_act/cowa1990216/

Control of Weapons Regulations 2011: <http://www.legislation.vic.gov.au>

Fire Arms Act 1996: http://www.austlii.edu.au/au/legis/vic/consol_act/fa1996102/

General Exemption Order: If you wish to view the Orders online, they appear in the Government Gazette No. G23 of 5 June 2014 at the following link: <http://www.gazette.vic.gov.au/gazette/Gazettes2014/GG2014G023.pdf>

Contact Details:

OMEDA Inc

PO Box 3132 MURRUMBEENA VIC 3163

Email: info@omeda.org.au

Send your completed application to:
OMEDA Inc – SWORD APPLICATION
PO Box 3132
MURRUMBEENA VIC 3163
Email: info@omeda.org.au



Application for Sword Exemption Approval for an Individual

Part 1 - TYPE OF APPLICATION

NEW RENEWAL OMEDA Inc. Member Number

Part 2 - PERSONAL INFORMATION

Current Name

Family name

Given name

Date of Birth / /

Sex: Male Female

Residential Address

Property Name (if applicable)

Flat/Unit Number

Street Number

Lot Number

/ /

Street Name

Street Type

Town/Suburb

Postcode

State

Postal Address (if different from residential address)

GPO Box PO Box Locked Bag Private Bag RMB RSD

Box/Bag Number

Street Name

Street Type

Town/Suburb

Postcode

State

Drivers' Licence & Contact Details

Victorian Drivers Licence Number

Telephone (Home)

(Work)

(Mobile)

E-mail Address

When providing your e-mail address, please use punctuation and indicate the exact location of the '@' symbol

Part 3 – STORAGE

Storage address

Are your items stored at the residential address you provided in Part 2 of this application? YES NO
If you answered “yes”, go to Part 5. If you answered “no”, please provide the storage address below:

Name of Property Owner/Occupier:

Property Name (if applicable)

Flat/Unit Number

Street Number

Lot Number

Street Name

Town/ Suburb

Postcode

State

Part 4 - DECLARATION

Are you a Prohibited Person in regards to any weapon ownership? (has a court prohibited you from owning/possessing a sword, gun etc or applying for one?) YES NO

Part 5 - ACKNOWLEDGEMENT (Terms & Conditions of OMEDA Inc Membership – Sword Exemption Approval)

1. I do not object to my name, address, membership and other details being held on computer for the purpose of distributing information and other administration purposes relating to OMEDA Inc. and other organisations lawfully entitled to the same.
2. I understand and accept that acceptance as a member of OMEDA Inc. and my ongoing membership is subject to the decision of the OMEDA Inc. committee and they have the right not to accept or to terminate my membership at any time without any refund of fees paid.
3. I understand and accept that as a current financial member of OMEDA Inc. I will be exempt (upon application to the committee) from Victorian sword laws which prohibit people from owning a sword and as such am responsible for the safe use, storage, transportation and sale of any and all swords that I may own. I also accept that it will be the OMEDA Inc. committees decision as to if I will be allowed a sword exemption and that the decision may be reversed at any time.
4. I understand and accept that should I no longer remain an OMEDA Inc. member, I will surrender my sword/s accordingly as soon as my membership lapses/rescinds.
5. I have read and understood the contents of this application form and in signing the form agree to be bound by all the terms and conditions contained within the form.
6. I have read and understood the definition of a prohibited person as defined by *Section 3 (1) of the Firearms Act 1996* and declare that I am not a Prohibited Person under the *Control of Weapons Act 1990*, and should that ever change, I will inform a committee member immediately and surrender my sword/s accordingly.
8. I acknowledge that the particulars in this application and any attachments are true and correct and I make this acknowledgement knowing that it is an offence against *s 8E (2) of the Control of Weapons Act 1990* to wilfully supply details that are false or misleading..

Signature:

Date:

Privacy Statement: Your information may be disclosed to OMEDA Inc committee members, Victoria Police, approved bodies and other statutory authorities for the purpose of law enforcement and the administration of justice. Applicants may gain access to their information through application to the OMEDA Inc committee. Failure to provide information requested in this application may result in this application being returned. This information is required for the running of the Association, and we regret we cannot accept this application unless you consent to our holding and using your data in this manner.