



Weapons Act 1990

Weapons Categories Regulation 1997

Current as at 5 April 2019

© State of Queensland 2019



This work is licensed under a Creative Commons Attribution 4.0 International License.



Queensland

Weapons Categories Regulation 1997

Contents

		Page
1	Short title	3
1A	Definition	3
2	Category A weapons	3
3	Category B weapons	4
4	Category C weapons	4
5	Category D weapons	5
6	Category E weapons	5
7	Category H weapons	6
7AA	Category H weapon classes	6
7A	Category M weapons	6
8	Category R weapons	9
9	Restricted items—Act, s 67	11
10	Recognised astronomical organisations—Act, s 67	11
11	Recognised occupations—Act, s 67	12

Weapons Categories Regulation 1997

1 Short title

This regulation may be cited as the *Weapons Categories Regulation 1997*.

Editor's note—

This is a reprint of the *Weapons Categories Regulation 1997* set out in schedule 1 of the *Weapons and Other Legislation Amendment Act 1997* No. 48.

1A Definition

In this regulation—

magazine capacity, for a firearm, means the maximum number of rounds of ammunition of a particular calibre that are designed to be held in the receptacle from which rounds are fed into the chamber of the firearm.

2 Category A weapons

- (1) Each of the following is a category A weapon if it has not been rendered permanently inoperable—
- (a) a miniature cannon under 120cm in barrel length that is a black powder and muzzle loading cannon, depicting a scale model of an historical artillery piece or naval gun;
 - (b) an air rifle;
 - (c) a rim-fire rifle (other than a self-loading rim-fire rifle);
 - (d) a shotgun other than a lever action shotgun, pump action shotgun or self-loading shotgun;
 - (e) a powerhead;
 - (f) a break action shotgun and rim-fire rifle combination;
 - (g) an air gun;
 - (h) a weapon mentioned in any of paragraphs (a) to (g) that is a blank-fire firearm.

(2) A conversion unit is also a category A weapon.

(3) In this section—

air gun means a firearm designed to discharge a projectile (including, for example, an arrow) by compressed air, or other compressed gas, not generated by an explosive.

conversion unit means a unit or device or barrel that is capable of being used for converting a category A weapon that is a firearm from one calibre to another calibre.

3 Category B weapons

(1) Each of the following is a category B weapon if it has not been rendered permanently inoperable—

- (a) a muzzle-loading firearm;
- (b) a single shot centre-fire rifle;
- (c) a double barrel centre-fire rifle;
- (d) a repeating centre-fire rifle;
- (e) a break action shotgun and centre-fire rifle combination;
- (f) a lever action shotgun with a magazine capacity of not greater than 5 rounds;
- (g) a weapon mentioned in any of paragraphs (a) to (f) that is a blank-fire firearm.

(2) A conversion unit is also a category B weapon.

(3) In this section—

conversion unit means a unit or device or barrel that is capable of being used for converting a category B weapon that is a firearm from one calibre to another calibre.

4 Category C weapons

Each of the following is a category C weapon if it has not been rendered permanently inoperable—

- (a) a semiautomatic rim-fire rifle with a magazine capacity no greater than 10 rounds;

-
- (b) a semiautomatic shotgun with a magazine capacity no greater than 5 rounds;
 - (c) a pump action shotgun with a magazine capacity no greater than 5 rounds;
 - (d) a weapon mentioned in any of paragraphs (a) to (c) that is a blank-fire firearm.

5 Category D weapons

- (1) Each of the following is a category D weapon—
 - (a) a self-loading centre-fire rifle designed or adapted for military purposes or a firearm that substantially duplicates a rifle of that type in design, function or appearance;
 - (b) a non-military style self-loading centre-fire rifle;
 - (c) a self-loading shotgun with a magazine capacity of greater than 5 rounds;
 - (d) a pump action shotgun with a magazine capacity of greater than 5 rounds;
 - (e) a self-loading rim-fire rifle with a magazine capacity of more than 10 rounds;
 - (f) a lever action shotgun with a magazine capacity of greater than 5 rounds;
 - (g) a weapon mentioned in any of paragraphs (a) to (f) that is a blank-fire firearm.
- (2) Subsection (1) applies to a weapon mentioned in the subsection even if the weapon is permanently inoperable.

6 Category E weapons

- (1) A bulletproof vest or protective body vest or body armour designed to prevent the penetration of small arms projectiles is a category E weapon.
- (2) In this section—
body armour—

- (a) means an article designed for anti-ballistic purposes that is designed to be worn on a part of the body; and
- (b) does not include a helmet, or other article, designed for sight or hearing protection.

7 Category H weapons

- (1) A firearm, including an air pistol and a blank-fire firearm, under 75cm in length, other than a powerhead, is a category H weapon, regardless of whether it has been rendered permanently inoperable.
- (2) A conversion unit is also a category H weapon.
- (3) This section does not apply to a powerhead or category C, D or R weapon.
- (4) In this section—

conversion unit means a unit or device or barrel that is capable of being used for converting a category H weapon that is a firearm from one calibre to another calibre.

7AA Category H weapon classes

For schedule 2 of the Act, each of the following comprises a class of category H weapon—

Editor's note—

Schedule 2 (Dictionary) of the Act

- (a) an air pistol;
- (b) a centre-fire pistol with a calibre of not more than .38 inch or a black-powder pistol;
- (c) a centre-fire pistol with a calibre of more than .38 inch but not more than .45 inch;
- (d) a rim-fire pistol.

7A Category M weapons

Each of the following is a category M weapon—

-
- (a) any clothing, apparel, adornment, accessory or other thing—
- (i) designed to disguise any weapon or other cutting or piercing instrument capable of causing bodily harm; or
- Examples—*
- a bowen knife belt, a credit card knife
- (ii) designed for use as a weapon or a cutting or piercing instrument capable of causing bodily harm;
- (b) any knife so designed or constructed so as to be used as a weapon that while the knife is held in 1 hand, the blade may be released by that hand;
- (c) a ballistic knife that propels or releases a knife-like blade of any material by any means other than an explosive;
- (d) a butterfly knife, a knife known as a ‘balisong’, a pantographic knife, or a similar device that consists of a single-edged or multi-edged blade or spike that fits within 2 handles attached to the blade or spike by transverse pivot pins or pantographic linkage and is capable of being opened by gravity or centrifugal force;
- (e) a flick knife, or a similar device of any material that has a blade folded or recessed into the handle that opens automatically by gravity or centrifugal force or if pressure is applied to a button, spring or device in or attached to the handle of the device;
- (f) a push knife, or a similar device designed as a weapon that consists of a single-edged or multi-edged blade or spike and allows the blade or spike to be supported by the palm of the hand so that stabbing blows or slashes can be inflicted by a punching or pushing action;
- (g) a sheath knife, or a similar device of any material that has a sheath which withdraws into its handle by gravity or centrifugal force or if pressure is applied to a button, spring or device attached to or forming part of the sheath, handle or blade of the device;

- (h) a star knife, or a similar device that consists of at least 2 angular points, blades or spikes, of any material, disposed outwardly about a central axis point and that are designed to spin around the central axis point in flight when thrown at a target;
- (i) a trench knife, or a similar device that consists of a single-edged or multi-edged blade or spike of any material that is fitted with a handle made of any hard substance that is designed to be fitted over the knuckles of the hand of the user to protect the knuckles and increase the effect of a punch or blow;
- (j) a riding crop that contains, conceals or disguises a knife, stiletto or any other single-edged or multi-edged blade or spike of any length or of any material;
- (k) a walking stick or cane that contains, conceals or disguises a sword or any other single-edged or multi-edged blade, knife or spike of any length or of any material;
- (l) any incendiary or inflammable device containing any substance capable of causing bodily harm or damage to property that is primarily designed for vegetation management;
- (m) any pistol crossbow designed to be discharged by the use of 1 hand (that is not a toy pistol crossbow) that when discharged is capable of causing damage or injury to property or capable of causing bodily harm;
- (n) any crossbow designed to be discharged by the use of 2 hands that, when discharged, is capable of causing damage or injury to property or capable of causing bodily harm;
- (o) a chinese throwing iron that is a hard non-flexible plate having 3 or more radiating points with 1 or more sharp edges in the shape of a polygon, trefoil, cross, star, diamond or geometric shape and constructed or designed to be thrown as a weapon;
- (p) a flail or similar device constructed and designed as a weapon consisting of in part a striking head and which,

if used offensively against a person, is capable of causing bodily harm;

- (q) a device known as a ‘manrikiguisari’ or ‘kusari’, consisting of a length of rope, cord, wire or chain fastened at each end to a geometrically shaped weight or handgrip and constructed or designed for use as a weapon;
- (r) a device known as a knuckleduster or any device made or adapted for use as a knuckleduster and which, if used offensively against a person, is capable of causing bodily harm;
- (s) a weighted glove designed or constructed to be used as a weapon;
- (t) a mace or any similar article (other than a ceremonial mace made for and used solely as a symbol of authority on ceremonial occasions);
- (u) any device, not a toy, constructed or designed as a telescopic baton, the extension of which is actuated by the operation of a mechanical trigger.

8 Category R weapons

- (1) Each of the following is a category R weapon—
 - (a) a machine gun or submachine gun that is fully automatic in its operation and actuated by energy developed when it is being fired or has multiple revolving barrels, and any replica or facsimile of a machine gun or submachine gun that is not a toy;
 - (b) a unit or device that is capable of being used for converting any firearm to a weapon mentioned in paragraph (a);
 - (ba) a device designed to attach to a firearm that uses recoil generated by the firearm to increase the firearm’s rate of fire;

Example—

a bump stock

- (c) a firearm capable of firing 50 calibre BMG cartridge ammunition;
- (d) an antipersonnel gas, and an antipersonnel substance, of a corrosive, noxious or irritant nature or that is capable of causing bodily harm, and any weapon capable of discharging the gas or substance by any means, other than a gas or substance and any weapon capable of discharging the gas or substance that is primarily designed for the control of native or feral animals;
- (e) an acoustical antipersonnel device of an intensity that is capable of causing bodily harm;
- (f) an electric antipersonnel device;

Examples of electric antipersonnel devices—

a stun gun, a stun baton or a device made or adapted for use as an electric antipersonnel device

Examples of electric devices that are not antipersonnel devices—

an electric cattle prod or electric medical equipment

- (g) a hand grenade, other than an inert hand grenade, and an antipersonnel mine;
 - (h) a silencer or other device or contrivance made or used, or capable of being used or intended to be used, for reducing the sound caused by discharging a firearm;
 - (i) a rocket launcher, recoilless rifle, antitank rifle, a bazooka or a rocket propelled grenade type launcher;
 - (j) a mortar, all artillery and any incendiary or inflammable device containing any substance capable of causing bodily harm or damage to property, other than an incendiary or inflammable device primarily designed for vegetation management;
 - (k) a weapon mentioned in any of paragraphs (a) to (j) that is a blank-fire firearm.
- (2) A thing mentioned in subsection (1)(a), (c), (i) or (j) is not a category R weapon if it is a public monument.

9 Restricted items—Act, s 67

The following items are restricted items for section 67 of the Act—

Editor's note—

Section 67 (Possessing and acquiring restricted items) of the Act

- (a) handcuffs, thumbcuffs or other similar restraints;
- (b) nunchaku or kung-fu sticks or any similar device which consists of 2 hard non-flexible sticks, clubs, pipes or rods connected by a length of rope, cord, wire or chain constructed or designed to be used in connection with the practice of a system of self-defence and which if used offensively against a person is or are capable of causing bodily harm;
- (c) a billy club, a baton or any device constructed or designed as a telescopic baton, not being a toy or a category M weapon, that if used is capable of causing bodily harm;
- (d) any studded glove which if used offensively against a person is capable of causing bodily harm;
- (e) a laser pointer.

10 Recognised astronomical organisations—Act, s 67

Each of the following is prescribed for section 67(5) of the Act, definition *recognised astronomical organisation*, paragraph (a)—

- (a) Astronomical Association of Queensland ABN 95 717 067 440;
- (b) Astronomy Connect Inc.;
- (c) Townsville Astronomy Group Inc.;
- (d) South East Queensland Astronomical Society Inc.

11 Recognised occupations—Act, s 67

The following occupations are prescribed for section 67(5) of the Act, definition *recognised occupation*, paragraph (a)—

- (a) search and rescue helicopter pilot;
- (b) search and rescue helicopter crew member.