

FIREARMS REGISTRY

Prohibited Weapons Laser Pointer Permit

This FACT sheet provides information on the requirements for obtaining a Laser Pointer Permit - clause 14 of the *Weapons Prohibition Regulation 2009*.

It is an offence in NSW to possess a prohibited weapon without the authority of a permit.

What is the definition of a laser pointer?

A laser pointer means a hand-held battery-operated device, designed or adapted to emit a laser beam, that may be used for the purposes of aiming, targeting or pointing.

If the laser pointer is over 1 milliwatt, it is classified as a prohibited weapon by virtue of clause 4(8) to Schedule 1 of the *Weapons Prohibition Act 1998*.

Am I allowed to own a laser pointer under 1 milliwatt?

You may own a laser pointer of 1 milliwatt or less, but it is an offence in NSW to carry or use the laser pointer in a public place without a reasonable excuse.

What is reasonable excuse?

A reasonable excuse would be an amateur astronomer, teacher, lecturer or builder who has the laser pointer in their possession at a time and place related to that purpose (ie lawful pursuit of that occupation).

What about a laser pointer over 1 milliwatt?

If you wish to possess and use a laser pointer over one milliwatt, you must obtain a prohibited weapon permit from the NSW Firearms Registry, unless you are exempt.

Who is exempt from the requirement to obtain a permit?

A member of an astronomical organisation approved by the Commissioner of Police for use of a laser pointer for activities associated with astronomy. A member means a person who is currently a member and has been a member for 3 months or more, OR

A person who holds a licence or permit under the *Firearms Act 1996*, for use of a laser pointer in connection with a firearm to which the licence or permit applies.

What astronomical organisations are approved by the Commissioner of Police for the purpose of this exemption?

The following astronomical societies, clubs or associations are approved by the Commissioner of Police for the purpose of an exemption to obtain a permit:

- * All clubs, societies and associations listed with the Astronomical Society of Australia;
- * The Astronomical Society of NSW;
- * Any astronomical club, society or association linked to a recognised Observatory such as the Sydney Observatory or Parkes Observatory;
- * University astronomical clubs and lecturers associated with those clubs;
- * Any other astronomical club, society or association approved by the Commissioner of Police (see approved list on the Firearms Registry Internet site).

Who should apply for a permit?

Any person who wishes to possess and use a laser pointer over 1 milliwatt and is not exempt.

What is the term of the permit?

The permit will be issued for a maximum term of 5 years.

How much will the Laser Pointer Permit cost?

The prescribed fee for this permit is \$127. Payment must accompany your application. There is a prescribed fee of \$25 for each person in addition to the permit holder to be listed on the permit.

What do I need to send with the application?

- * A completed P638 'Application for a Prohibited Weapons Permit' form, and
- * A completed 'Prohibited Weapon Laser Pointer Genuine Reason' form, and
- * A completed 'Business Declaration' (*business application only*), and
- * Supporting documentation as requested on the genuine reason form.

What about employees?

A person who is an employee of the permit holder, or a person who is engaged in the operation of the practice or organisation of the permit holder, may make application to be listed on and authorised by this permit. Each employee must complete an 'Application for a Person to be Authorised on a Prohibited Weapons Permit' P639 form. A separate P639 form must be used for each person wishing to be authorised by the permit.

What safe storage applies to this permit?

Level 1 safe storage. See 'Safe Storage Prohibited Weapons Levels 1, 2 & 3' & 'Prescribed Safe Storage Schedule 1 Prohibited Weapons' available on the Safe Storage page on the Firearms Registry Internet site.

Instructions for completing the PW Permit Application Form

PROHIBITED WEAPONS PERMIT APPLICATION FORM (P638)

How do I apply for a Laser Pointer Permit?

You must complete the P638 'Application for a Prohibited Weapons Permit' form and the 'Prohibited Weapon Laser Pointer Genuine Reason' form and where applicable provide any supporting documentation.

NEW APPLICATION / REAPPLICATION

Mark the appropriate box, new application or reapplication. If you currently hold, or have previously held, a firearms licence or firearms or prohibited weapon permit, enter your licence or permit number.

SECTION A - PERMIT TYPE

From the drop down list select the type of permit for which you are applying. If the permit is not listed in the drop down list, enter 'Other' and describe the type of permit you require in the space provided.

SECTION B - NOMINATED PERSON / PERMIT HOLDER

Insert the full name, date of birth, gender, NSW drivers licence (if held), contact phone numbers, email address and supply details for the nominated person (business) or nominated permit holder (individual). If you have been known by any other names enter your alias here.

SECTION C - RESIDENTIAL ADDRESS

Insert your full residential address in this section.

SECTION D - POSTAL ADDRESS

If the postal address is the same as the residential address, mark the box. If your postal address is different to your residential address, insert your postal address in this section.

SECTION E - BUSINESS, CLUB OR GOVERNMENT AGENCY DETAILS

If this application is being made by a Business, Club or Government Agency, complete this section and attach supporting documentation.

SECTION F - SAFEKEEPING ADDRESS OF WEAPONS

If the safekeeping address is the same as the residential address, select 'YES' in the box. If your weapon safekeeping address is different to your residential address, select 'NO' and insert the address in this section.

SECTION G - PERSONAL HISTORY

Answer each question by selecting a 'YES' or 'NO' from the drop down list. If you answer 'YES' to any question, provide details as an attachment.

SECTION H - DECLARATION

The application must be signed and dated by the applicant.

SECTION I - APPLICATION FEE

The prescribed fee for a prohibited weapon permit is \$127. Your payment must accompany the application.

RELATED INFORMATION

See FACT Sheets:

'100 Point Identification'

'Schedule 1 Prohibited Weapons - Safe Storage Levels 1, 2 & 3',

'Prescribed Safe Storage for Schedule 1 Prohibited Weapons'.

Firearms Registry

Address

Locked Bag 1
Murwillumbah NSW 2484

Telephone

1300362562

Interstate

02 66708590

Fax

02 66708558

Email

firearmsenq@police.nsw.gov.au

Website

www.police.nsw.gov.au/firearms

Where can I find more information?

The information provided in the FACT Sheet is for general guidance only. Applicants and permit holders should familiarise themselves with the *Weapons Prohibition Act 1998* and the *Weapons Prohibition Regulation 2009*, which are available on the NSW Legislation website - www.legislation.nsw.gov.au.



NSW Police Force
www.police.nsw.gov.au

