

LEGISLATIVE COUNCIL

TERRORISM (COMMUNITY PROTECTION) AND CONTROL OF WEAPONS
AMENDMENT BILL 2024

(Amendment and New Clauses to be proposed in Committee by DAVID LIMBRICK)

1. Clause 1, page 2, after line 14 insert—
 - "(ia) to provide for the possession, carriage and use of articles designed or adapted to discharge oleoresin capsicum spray; and".

NEW CLAUSES

2. Insert the following New Clauses before clause 55—

'54A Definitions

- (1) In section 3(1) of the **Control of Weapons Act 1990**, in the definition of *controlled weapon*, after paragraph (a) **insert**—
 - "(ab) an article designed or adapted to discharge oleoresin capsicum spray; or".
- (2) In section 3(1) of the **Control of Weapons Act 1990**, in the definition of *prohibited weapon*, after "a prohibited weapon" **insert** "but does not include an article designed or adapted to discharge oleoresin capsicum spray".

54B Control of controlled weapons

- (1) In section 6(3) of the **Control of Weapons Act 1990**, after "*lawful excuse*" **insert** "(other than in relation to the possession, carriage or use of a controlled weapon that is an article designed or adapted to discharge oleoresin capsicum spray)".
- (2) After section 6(3) of the **Control of Weapons Act 1990** **insert**—
 - "(3A) In this section *lawful excuse* (in relation to the possession, carriage or use of a controlled weapon that is an article designed or adapted to discharge oleoresin capsicum spray) includes—
 - (a) the pursuit of any lawful employment, duty or activity; and
 - (b) self-defence.".'.