SUBMISSION

Police Offences Amendment (Knives and Prohibited Weapons) Bill 2026

Opposition to the proposed machete prohibition and open-ended prohibited weapon framework

Submitted by: Craig Waters

Date: 3 August 2026

Consultation closes: 5:00 pm, 13 August 2026

Contact details

Address: [insert address]

Email: [insert email address]

Telephone: [insert telephone number]

Submission position

> The proposed machete ban should be abandoned. Tasmania should continue to target unlawful carriage, threatening conduct and criminal intent rather than criminalising responsible possession of an ordinary working tool on private property.

Submissions at Strategy and Support

Department of Police, Fire and Emergency Management

GPO Box 308

Hobart TAS 7001

By email: submissions.strategy.support@dpfem.tas.gov.au

Submission on the Police Offences Amendment (Knives and Prohibited Weapons) Bill 2026

I provide this submission in response to the consultation draft of the Police Offences Amendment (Knives and Prohibited Weapons) Bill 2026.

I support properly targeted measures to prevent violent offending, unlawful weapon-carrying and the inappropriate supply of knives to children. I oppose the proposed blanket prohibition on machetes.

Executive summary

The proposed ban is not a targeted response to criminal conduct. It would prohibit the possession, use, sale, purchase and manufacture of a machete, including possession on private property, without requiring any threatening behaviour, criminal intent or risk to another person. The maximum penalty would be 100 penalty units, three years imprisonment, or both.[1]

The proposal is fundamentally flawed because:

- the existing Police Offences Act already prohibits possessing, carrying or using a knife or other dangerous article in a public place without lawful excuse and already provides police search and seizure powers;
- the Government has not published machete-specific Tasmanian crime data showing that lawful private ownership is causing the problem;
- criminals are the least likely people to surrender prohibited items or comply with storage and purchasing restrictions;
- machetes and similar tools are openly sold online by Australian businesses offering Australia-wide delivery;
- the Bill does not define the word "machete";
- the Bill allows other things and entire classes of items, including future products, to be prescribed as prohibited weapons later;
- the agricultural exemption is narrow and the locked-receptacle requirement is impractical during ordinary rural work;
- the draft does not adequately deal with existing owners, collectors, compensation, amnesty or transition;
- the Bill also regulates the sale and storage of a broad and undefined category of other knives, including kitchen preparation knives; and
- important retailer storage and signage requirements would be determined after enactment by the Commissioner rather than being available during consultation.

> The law should punish dangerous conduct, threatening behaviour and criminal intent - not mere possession of a commonly available working tool on private land.

1. Existing law already addresses unlawful public possession

Section 15C of the current Police Offences Act 1935 already prohibits possessing, carrying or using a dangerous article in a public place without lawful excuse. A dangerous article includes a knife and other weapons or objects adapted or intended for use as weapons.

Police may stop, detain and search a person and the person's vehicle where the statutory grounds are satisfied, and may seize and detain a dangerous article. The current law recognises lawful excuses including:

- pursuing a lawful occupation, duty or activity;
- participating in lawful sport, recreation or entertainment;
- lawful collection, display or exhibition;
- using the article for the lawful purpose for which it was intended; and
- religious observance.

The existing maximum penalty is already 100 penalty units, three years imprisonment, or both.[2]

The proposed section 14F would go much further. It would make possession unlawful even where the machete remains in a shed, workshop or rural property, has never been carried in public and has never been used or intended to threaten anyone.[1]

The Government has not explained why the existing conduct-based offence, supported by existing search and seizure powers, is inadequate. The proposal should not replace a law focused on circumstances and conduct with a blanket offence based solely on the identity of an object.

2. The available Tasmanian evidence does not justify a blanket ban

Knife crime is real and serious. However, the existence of knife-related offending does not establish that prohibiting lawful private ownership of machetes is necessary, proportionate or effective.

The Tasmania Police Crime Statistics Supplement for 2024-25 recorded 4,097 assaults. It reported that 79% involved no weapon, 4% involved a knife and 2% involved a firearm. The alleged offender was known to the victim in 75% of assaults and 57% occurred at residential locations. The 4% knife figure equates to approximately 164 assaults.[3]

The same proportion of assaults - 4% - involved a knife in 2023-24. The Tasmania Law Reform Institute reviewed five years of police data and stated that knife-related assaults generally accounted for 4-5% of recorded assaults, except in 2020-21 when they accounted for 2%. The Institute concluded that the available figures did not present clear evidence of an increase in knife violence in public places or an increase in the use of knives or other dangerous weapons in violent assaults over that period.[4]

The 2024-25 statistics also recorded 252 robberies, with armed and aggravated armed robbery representing 25% of robberies and falling by 11%. Knives were involved in 53% of armed robberies.[3] That confirms a serious issue requiring enforcement, but the statistics do not identify machetes separately.

The consultation material does not provide:

- the annual number of machete-related offences in Tasmania;
- whether machete offending is increasing;
- whether the items were lawfully owned or purchased;
- how offenders obtained them;
- whether the offenders were already breaching section 15C or other offences;
- how many incidents would have been prevented by a private-possession ban; or
- evidence connecting responsible rural ownership with violent offending.

A prohibition carrying possible imprisonment should be supported by machete-specific evidence and a demonstrated causal link between the conduct being prohibited and the harm said to justify it.

3. Criminals will not voluntarily surrender the weapons they intend to use

A possession ban relies heavily on voluntary compliance. Responsible owners are likely to surrender, dispose of or stop using their lawfully acquired tools. Those owners are also the people least likely to misuse them.

A person prepared to commit an armed robbery, aggravated burglary, assault or wounding is unlikely to be deterred merely because possession of the chosen object is also prohibited. A determined offender may:

- retain an existing machete illegally;
- buy one from an interstate or overseas seller;
- obtain one through a private sale or another person;
- steal one;
- modify another tool; or
- substitute an axe, large knife, hammer, crowbar, baseball bat, golf club or another readily available object.

The likely result is high compliance among lawful owners without equivalent compliance among the people the Bill is intended to target. The Government should provide evidence from comparable bans showing the proportion of surrendered items previously held by active violent offenders and the measured effect on violent offending, illegal supply and weapon substitution.

4. Online and interstate supply makes a state ban difficult to enforce

Machetes are not available only from a small number of Tasmanian shopfronts. Australian retailers currently advertise extensive machete ranges online, including kukris, parangs, bolos, goloks and tactical or survival machetes, together with Australia-wide delivery.[5]

A Tasmanian prohibition cannot physically remove those products from interstate and international markets. Effective enforcement would depend on:

- every interstate and overseas seller understanding Tasmanian law;
- marketplaces controlling large numbers of third-party sellers;
- sellers correctly identifying Tasmanian delivery addresses;
- products not being renamed or misdescribed;
- freight operators detecting relevant parcels; and
- police locating products after they enter Tasmania.

Physically similar items can be marketed as machetes, clearing knives, brush knives, agricultural choppers or survival tools. A change in product description does not change the item, but it may make detection and compliance more difficult.

The practical burden will fall most heavily on established Tasmanian retailers and responsible owners. Determined offenders can continue to use unlawful channels or substitute another implement.

5. The Bill does not define "machete"

Proposed section 14E states that a prohibited weapon includes "a machete", but neither the current Act nor the draft Bill provides an objective definition of that term.[1]

There is no statutory test based on:

- blade length, width, curvature or weight;
- construction or cutting-edge configuration;
- primary design or ordinary intended use;
- whether the implement is principally an agricultural or vegetation-clearing tool; or
- the relationship between the product's actual design and the name used by a manufacturer or retailer.

This creates uncertainty for cane knives, clearing knives, brush knives, billhooks, kukris, parangs, goloks, heavy survival knives and new vegetation-clearing tools. Two substantially similar implements may be described differently by different sellers.

A person should not face arrest, seizure and possible imprisonment based on an undefined and commercially inconsistent product label. A serious criminal offence must be clear enough for an ordinary person to determine whether property already in a shed or workshop is prohibited.

6. The prohibited weapon definition can be expanded to other items later

The proposed definition is not confined to machetes. It includes:

- a machete;
- a thing, item or article prescribed as a prohibited weapon; and
- a class of things, items or articles prescribed as prohibited weapons.[1]

The words "thing, item or article" are exceptionally broad. The Bill contains no requirement that a later prescribed item must be primarily designed as a weapon, commonly involved in Tasmanian crime, incapable of legitimate use or unable to be addressed through the existing dangerous-article laws.

A future government could use regulations to add another object or an entire class of objects to the prohibition without passing another full amendment to the Police Offences Act. Once prescribed, the same offence and maximum three-year penalty would apply to possession, use, sale, purchase and manufacture.[1]

The power could also capture products developed after the Bill is enacted. A future class might be described by dimensions, construction, appearance, marketed purpose or similarity to another item. New agricultural, trade, camping or recreational tools could therefore be brought within the offence even though they did not exist and were not considered during this consultation.

This is why the question "what is next - a golf club?" is not merely rhetorical. If capability to cause injury is the limiting principle, the same argument may be applied to axes, hatchets, kitchen knives, hammers, crowbars, baseball bats, shovels and sporting equipment.

Proposed paragraphs 14E(b) and 14E(c) should be removed. Any future proposal to prohibit another object should require a separate Bill, published evidence, public consultation and full parliamentary debate.

7. The agricultural exemption is too narrow and uncertain

The exemption applies only to an "agricultural professional" who possesses and uses the prohibited weapon solely for a purpose connected with that person's work. The associated definition focuses on agricultural produce and businesses directly connected with its production.[1]

This may fail to protect:

- rural landholders who are not formally employed in agriculture;
- hobby farmers and small-scale producers;
- horse owners and equine breeding or training operations;
- family members and volunteers assisting on a property;
- people clearing firebreaks or weeds on residential acreage;
- people maintaining access tracks, fence lines and rural buildings; and
- contractors whose work does not fit neatly within the definition.

I operate a rural property and equine enterprise in Tasmania. Rural work does not divide neatly into commercial agricultural production and other property management. A person may clear a livestock fence line, maintain an access track, remove vegetation near a house and undertake bushfire preparation on the same property and on the same day.

The word "solely" creates a technical trap. A person may qualify while performing one work task but lose the exemption while using the same tool for another entirely legitimate task on the same property.

8. The locked-receptacle requirement is impractical during work

The exemption requires the machete to be kept in a receptacle that is securely locked at all times when it is not in use.[1] This is not workable during ordinary rural and vegetation-clearing work.

A person clearing a fence line may temporarily stop to open a gate, move livestock, repair fencing, shift a vehicle, remove cut vegetation, inspect another area, answer a telephone call, obtain water or move to the next task. It is unclear whether the tool remains "in use" during each interruption.

If not, the worker appears to be required to return the tool to a locked receptacle whenever work pauses. A sheath is not a locked receptacle, and a suitable vehicle, toolbox or fixed storage facility may be a considerable distance away.

The Bill also does not state whether a locked vehicle, tractor cab, toolbox, machinery compartment, workshop or shed would comply. Nor does it recognise a tool remaining under the immediate control and supervision of the worker.

The proposal creates an irrational distinction: a machete must be repeatedly locked away while an axe, hatchet, chainsaw, pruning saw, crowbar or fencing tool may remain at the same worksite. The requirement appears to have been drafted without adequate consideration of how rural work is actually performed.

9. Existing owners, collectors and historical items are not adequately addressed

The draft commences on a day or days to be proclaimed, but it does not establish a comprehensive grandfathering arrangement, general permit system, compensation scheme, surrender process, public amnesty or minimum transition period.[1]

Many people will have acquired machetes or similar tools lawfully years or decades ago. They may be stored in sheds, workshops, vehicles or rural outbuildings. Some owners will not see a public information campaign; others will not recognise that a clearing implement falls within the undefined term.

The Bill also lacks an adequate exemption or permit pathway for private collectors, museums, military-history organisations, historical societies, family heirlooms, theatrical productions and culturally significant items. A historical machete secured in a collection presents a different risk from an item unlawfully carried in public.

10. The Bill also regulates a broad category of other knives

The draft is not limited to machetes. A separate division regulates the sale of knives by businesses. It applies to a knife offered for sale by a relevant business unless the knife is prescribed as an exempt knife.[1]

The Bill does not define the word "knife". The proposed regulations exempt knives designed or generally used for consuming food, such as ordinary table cutlery, but expressly state that knives designed or used for preparing or cooking food are not exempt.[1]

The retail regime may therefore apply to a wide range of ordinary products, including:

- chef's knives, carving knives and other kitchen preparation knives;
- pocketknives and multitools containing blades;
- camping, fishing and hunting knives;
- utility knives and replaceable-blade trade tools;
- pruning and grafting knives; and
- other products whose status is uncertain because "knife" is undefined.

The Bill would generally prohibit selling a knife to a person under 18, subject to a lawful-excuse process for a person aged at least 16 with evidence of a genuine reason and identification. It also imposes employer liability, requires employees selling knives to be at least 18, requires signs at entrances, points of sale, websites and advertisements, and requires knives to be stored in a manner later approved by the Commissioner.[1]

These are significant obligations for supermarkets, kitchenware shops, hardware stores, outdoor retailers, agricultural suppliers, trade suppliers and online businesses. The definition and practical boundaries should be clear in the legislation, not left to businesses to infer after enactment.

11. Important retailer requirements are not available for consultation

The Commissioner would approve the form of mandatory signage and the manner in which knives must be stored. Those approvals may be subject to different conditions for particular businesses or classes of businesses.[1]

Retailers are therefore being asked to comment on legislation without knowing the security infrastructure, display restrictions, staff procedures and costs that will ultimately be imposed. Draft storage standards and signage should be published before the Bill is considered by Parliament.

The lawful-excuse process for sales to 16- and 17-year-olds also requires businesses to retain records of identification and genuine-reason evidence for at least two years and produce them to police on request.[1] The Bill should clearly limit the information collected, discourage unnecessary copying of identification documents and specify security, access and destruction requirements.

12. Youth knife-sale measures should be considered separately

Reasonable measures preventing inappropriate knife sales to children raise different policy issues from a blanket prohibition on adult possession of machetes. Support for age restrictions should not be treated as support for criminalising responsible possession on private property.

The machete provisions should be removed from the Bill. If the Government wishes to pursue them, they should be the subject of a separate proposal supported by machete-specific crime data, an assessment of online enforcement, consultation with rural users and retailers, precise definitions and consideration of less restrictive alternatives.

Recommended approach

The proposed machete prohibition should be abandoned. Tasmania should retain and enforce the existing conduct-based approach under section 15C, which already:

1. prohibits possessing, carrying or using a dangerous article in public without lawful excuse;
2. provides a maximum penalty of three years imprisonment;
3. allows police searches of people and vehicles where the statutory grounds are satisfied;
4. allows dangerous articles to be seized; and
5. distinguishes legitimate work and lawful activities from unlawful conduct.

Any additional reform should focus on:

- unlawful carriage of weapons in public;

- threatening or intimidating conduct;
- possession with intent to commit an offence;
- use of an implement during an offence;
- repeat violent offenders and breaches of court orders or bail conditions;
- unlawful supply to children; and
- effective and proportionate age-verification requirements for online sales.

Proposed paragraphs 14E(b) and 14E(c) should also be removed. Any future proposal to prohibit another object or class of objects should require a separate amendment to the principal Act, supported by evidence, precise definitions, consultation, consideration of legitimate uses and proper transitional arrangements.

Conclusion

The proposed machete prohibition is unclear, impractical, difficult to enforce and unsupported by evidence demonstrating that it will reduce violent offending in Tasmania.

The term "machete" is not defined. Similar tools are sold under many names. Machetes remain available through interstate and online markets offering Australia-wide delivery. The agricultural exemption is narrow and its requirement for a securely locked receptacle whenever the tool is not in use is impractical during ordinary rural work.

The Bill would primarily burden responsible people who obey the law. Those owners are likely to surrender, dispose of or stop using lawfully acquired tools even though they are the people least likely to misuse them.

Criminals will not voluntarily surrender the knives or other weapons they intend to use. A person prepared to commit an armed robbery, aggravated burglary, assault or other violent offence is unlikely to be stopped because possession of the chosen object is also unlawful.

A determined offender may retain an existing machete illegally, obtain one through an interstate, overseas or private source, steal one, modify another implement or substitute an axe, large knife, hammer, crowbar, baseball bat, golf club or another readily available object.

The practical effect is likely to be high compliance among lawful owners without equivalent compliance among the people the legislation is intended to target. The Government has not produced Tasmanian evidence demonstrating that lawful private ownership of machetes is driving knife crime or that a blanket possession ban would have prevented the incidents relied upon to justify the proposal.

The Bill also creates an open-ended mechanism through which future governments could classify additional ordinary items, entire classes of items and newly developed products as prohibited weapons without another full amendment to the principal Act.

Community safety is better served by targeting dangerous behaviour, threatening conduct, unlawful public carriage, criminal intent, repeat offending and unlawful supply to children.

I respectfully request that the Government:

1. abandon the proposed machete prohibition;
2. remove the open-ended power to prescribe additional things, items, articles and classes of items as prohibited weapons;
3. retain and enforce the existing conduct-based approach to knives and dangerous articles;
4. publish the machete-specific evidence relied upon to justify the proposal;
5. target violent offenders and criminal conduct rather than lawful private ownership; and
6. consider the youth knife-sale provisions separately.

> A person should be punished for carrying or using an object unlawfully, threatening another person or intending to commit an offence - not simply for possessing an ordinary tool on private property.

Yours faithfully,

Craig Waters

References

[1] Tasmania Police, Police Offences Amendment (Knives and Prohibited Weapons) Bill 2026 - Consultation Draft. https://www.police.tas.gov.au/uploads/Police-Offences-Amendment-Knives-and-Prohibited-Weapons-Bill-2026-Consultation-Draft.pdf

[2] Police Offences Act 1935 (Tas), particularly s 15C. https://www.legislation.tas.gov.au/view/whole/html/inforce/current/act-1935-044

[3] Department of Police, Fire and Emergency Management, Crime Statistics Supplement 2024-25. https://www.police.tas.gov.au/uploads/DPFEM-Crime-Statistics-Supplement-2024-25.pdf

[4] Tasmania Law Reform Institute, Submission on the Police Offences Amendment (Knives and other Weapons) Bill 2025. https://www.police.tas.gov.au/uploads/TLRI-Submission-on-Knives-and-other-Weapons-Bill-2025-Final_Redacted.pdf

[5] Examples of current online supply: Extac Australia, Machetes; Survival Supplies Australia, Machetes; Taipan Outdoors, Machetes and Choppers. Accessed 3 August 2026. https://www.extac.com.au/machetes/

[6] Tasmania Police consultation page, including submission instructions and closing date. https://www.police.tas.gov.au/consultation/consultation-on-the-police-offences-amendment-knives-and-prohibited-weapons-bill-2026/

Additional online retailer pages referenced in [5]: Survival Supplies Australia; Taipan Outdoors.