Submissions.Strategy.Support

From: Stuart Paul [redacted]
Sent: 08 August 2026 12:58
To: Submissions.Strategy.Support
Subject: Consultation on the Police Offences Amendment (Knives and Prohibited Weapons) Bill 2026

You don't often get email from [redacted] Learn why this is imp

Dear Sir/Madam,

I am writing to make a submission on the Police Offences Amendment (Knives and Prohibited Weapons) Bill 2026 consultation draft. I am a Tasmanian resident and a collector of militaria, including historic knives and bayonets, and my submission concerns a specific gap I've identified in the proposed new Division IB (Prohibited weapons) of the Police Offences Act 1935.

Summary of concern

I support the Bill's general objective of restricting access to weapons capable of causing serious harm, and I have no difficulty with machetes being specifically named as a prohibited weapon. My concern is with the mechanism the Bill establishes for possessing, using, selling, purchasing or manufacturing a "prohibited weapon" (new section 14F), and the absence of any exemption for lawful collecting, once an item is added to that category.

Under section 14E, "prohibited weapon" is not limited to machetes; it also includes "a thing, item or article prescribed as a prohibited weapon" and "a class of things, items or articles prescribed as a prohibited weapon". This means further items - potentially including bayonets, edged militaria, or historic military weapons - could be added to the prohibited weapons list by regulation in future, without the matter returning to Parliament for full debate.

If that occurred, a collector in my position would have no defence at all. Section 14F(2) provides exactly three exemptions from the possession offence: police officers acting in the performance of their duties, State Service employees or officers acting in the performance of their duties, and agricultural professionals who possess the item solely for work purposes and keep it in secure locked storage. There is no equivalent of the lawful excuse for "collection, display or exhibition" that already exists elsewhere in the Act and in this very Bill.

The inconsistency in the Bill's own drafting

This is not a hypothetical oversight; the Bill's drafters clearly considered "collection, display or exhibition" a legitimate reason to possess a bladed item in other parts of the same Bill and the existing Act:

- Section 15C(4)(c) of the current Police Offences Act 1935 already recognises "the lawful collection, display or exhibition of that dangerous article" as a lawful excuse for possessing a dangerous article (a category that already includes knives).
- The Bill's own new section 34E(c) - governing the sale of knives to youths - defines "genuine reason" to include "a lawful activity in respect of collection, display or exhibition."

So the same Bill acknowledges collecting as a legitimate reason to possess or acquire a knife when regulating sales to minors, but omits any equivalent protection from the new prohibited-weapons offence in Division IB. I'd ask the Department to treat this as a drafting gap rather than a deliberate policy position, and to correct it before the Bill is finalised.

Practical effect if not addressed

As currently drafted, section 14F(1) applies to possession anywhere - unlike section 15C, it is not limited to a public place. A collector's home display or storage of a lawfully acquired item would be captured in exactly the same way as a person carrying the item in public. Police would also have warrantless seizure powers under section 14F(3), and an owner would need to "demonstrate to the Commissioner a lawful reason" to avoid forfeiture under section 14F(5), with no defined criteria or process for how such a claim would be assessed - unlike the structured application and fit-and-proper-person processes that already exist for other regulated items, such as crossbows under section 15D and body armour under section 15E.

What I am asking for

I would ask the Department to consider one or both of the following before the Bill is finalised:

1. Insert a lawful excuse defence into section 14F, equivalent to section 15C(4), that expressly includes the lawful collection, display or exhibition of a prohibited weapon (and ideally recognises historic, heritage, or military collecting specifically).
2. Alternatively, or in addition, establish a formal authorisation or permit pathway for collectors - analogous to the existing crossbow authorisation scheme in section 15D or the body armour permit scheme in section 15E - allowing the Commissioner to approve possession by a fit and proper person for genuine collecting purposes, subject to appropriate secure storage conditions.

At minimum, I would ask that any future decision to prescribe additional items (such as bayonets or other historic edged weapons) as a "prohibited weapon" under section 14E be preceded by public consultation, and that such regulations include a collector exemption from the outset rather than requiring collectors to seek a retrospective fix.

Thank you for the opportunity to comment on this Bill. I am happy to be contacted if the Department would like to discuss this submission further.

Yours sincerely,

Stuart Paul