

Policy: Imitation Firearms



Approved by:	Management Board	Date approved:	16/11/2021	Next review:	16/11/23
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Supporting documents	Firearms Act 1996 No.46 Firearms and Weapons Legislation Amendment (Criminal Use) Bill 2020 Arcadians Theatre Group Permit Number is 412072369				

Definition

An **imitation firearm** is defined as an object that, regardless of its colour, weight or composition or the presence or absence of any moveable parts, substantially duplicates in appearance a firearm but is not a firearm. This does not include anything that is produced and identified as a children's toy.

The individual appointed as the **Firearms Licence Holder** is responsible for the management, security and use of all Imitation Firearms as described in the Act and is the person registered with the NSW Police Force as the designated Licence Holder.

An imitation firearm that is an imitation of a pistol is taken to be a **pistol**; an imitation firearm that is an imitation of a **prohibited firearm** is taken to be a prohibited firearm.

The **Act** applies to an imitation firearm in the same way as it applies to a firearm.

Responsibilities

The Arcadians Theatre Group Management Board is responsible for the administration and management of all Imitation Firearms owned by the Group in accordance with the Firearms Act 1996, the version in place at the time of use. The Group has appointed a Firearms Licence holder registered with the NSW Police Force.

The Arcadians Theatre Group requires an Imitation Firearms Permit in order to own and use imitation firearms on stage.

As at the time of this Policy approval, the designated Licence Holder is Steve Sanders. This permit cannot be transferred to another person. An application must be made to do so with the NSW Police Force.

Any business who possesses an imitation firearm must take all reasonable precautions to ensure:

- (a) its safe keeping, and
- (b) that it is not stolen or lost, and
- (c) that it does not come into the possession of a person who is not authorised to possess the firearm. Maximum penalty is imprisonment for 2 years.

Processes

1. Business Registration

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Arcadians Theatre Group is the registered holder of the Licence and had to follow the following procedure:

- submit the application form and the relevant legitimate reason form accompanied by all requested documentation
- provide proof of identity (if no other NSW firearms licence or permit is held or has been held)
- pay the required fees.

The permit was applied for in 2018 and is due to be renewed in 2023.

The Act applies to an imitation firearm in the same way it applies to any other firearm, with the exception of the registration requirements. Therefore, all the requirements for the transportation and safe storage that apply to a firearm, apply in the same way to an imitation firearm.

2. Categories of Firearms

The Legislation sets out categories of firearms and these category definitions also apply to imitation firearms.

- **Category A** - examples include air rifles and shotguns
- **Category B** - muzzle-loading firearms, centre-fire rifles, lever action shotguns
- **Category C** - self-loading rifles, shotguns and pump action shotguns
- **Category D** - all items listed in Category C but with restrictions on type of use
- **Category H** - pistols

Any business or person in possession of an imitation firearm must take all reasonable precautions to ensure the firearm is kept safely, is not lost or stolen and does not come into the possession of an unauthorised person.

3. Storage of Imitation Guns

A firearm's safe is provided in the Props Department where all firearms are to be stored when not in actual use on stage. When on stage, the Stage Manager issues the appropriate gun to the person who is the designated user of it on stage then take back possession when the gun is no longer required. A safe is provided on stage for the safe keeping of the guns at the end of each performance for the run of the season.

At the end of the season, the Stage Manager returns the guns to the safe in the Props Department.

The Group's Secretary is responsible for the safe keeping of safe keys and the allocation of the keys during the season run.

4. Transportation of Firearms

There should be no occasions when the imitation guns leave the Miner's Lamp Theatre. It is prohibited that they be loaned to any other party.



5. Gun Identification and eventual destruction

Arcadians Theatre Group will:

- Maintain a register of the type and number of each imitation gun in its possession
- In the event a firearm is no longer required, it will be physically destroyed so that it no longer resembles a firearm and the date and manner of its destruction is recorded in the register of firearms.

6. NSW Police Force

- The NSW Police Force manages the registry of permitted businesses and individuals.
- The process of completing the forms and applying for the necessary licences and permits takes some considerable time and should be commenced well in advance of any requirement to apply.
- The Board will appoint the Licence holder and permit holder to represent the Group at the time of permit renewal or Licence holder changeover.

7. Making Imitation Guns available to other organisations

Under the Act, this is prohibited unless being provided to a verified Licence Holder as specified in the Act.

Version	Date Approved	Approved By	Brief Description
1.0	16/11/2021	Management Board	Creation of original document
		Management Board	Review