

22 September 2014



Mr Ian Berry MP
Chair
Legal Affairs and Committee Safety Committee
Parliament House
George Street
BRISBANE QLD 4001

Dear Chair,

Re Public Safety Business Agency's response to the Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014

Recognising that the Newman Government has not consistently required departments to provide responses to private members bills, the Public Safety Business Agency's (PSBA's) response to the Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014 (the bill) is welcomed. This is despite the PSBA's response as provided to the Legal Affairs and Community Safety Committee (LACSC) being condemned in this report.

In reading the PSBA's response to the bill (Attachment 1), it is apparent that the PSBA was in fact requested by the LACSC to perform two particular tasks. Firstly to provide a response on submissions received on the bill, extending to associated comments made by myself, and secondly to answer three explicit questions:

- Question 1: Is the making, acquiring, possession and distribution of 3D firearms covered by existing legislation? If so, where?
- Question 2: If the making, acquiring, possession and distribution of 3D firearms is not covered, are the penalties and licensing provisions proposed in the Bill consistent with existing provisions?
- Question 3: Would the use of a 3D weapon be included in the definition of a 'firearm' pursuant to the *Weapons Act 1990*, Schedule 2 dictionary definition (pp 188-198) as specifically contemplated by the example provided - *'A replica of a gun capable of causing death or injury by discharging a projectile is a firearm.'*

Accordingly this report provides a reply to the PSBA's response on submissions and subsequently addresses the PSBA's answers to the above mentioned questions by the LACSC as well as providing other pertinent information for consideration by the LACSC.

PSBA's response on submissions

In total, the bill attracted three submissions:

- Submission 001: Mr David Nielsen did not support the bill;
- Submission 002: Shooters Union of Queensland Inc. (SUQ) did not support the bill; and
- Submission 003: Aboriginal and Torres Strait Legal Service (Qld) Ltd did support the bill.

In part, the PSBA's response to 'Submission 001' states:

Mr Nielsen's misinterpretation is exacerbated by the Explanatory Notes accompanying the Bill which indicate, in part, that the objectives of the Bill are to 'create offences and punishment provisions for persons who unlawfully make, acquire, possess and/or distribute digital 3D firearms'.

Furthermore, the PSBA's response to comments by myself re 'Submission 001', in part, states:

The Explanatory Notes accompanying the Bill, in particular the Objectives of the Bill, are ambiguous and do not clearly articulate the parameters of the Bill. In particular, the Explanatory Notes states that the objectives of the Bill are to 'create a licensing scheme for persons who make, acquire, possess and/or distribute digital 3D firearms as well as for licensed armourers involved in the manufacturing of firearms using an additive manufacturing process' and 'to create offences and punishment provisions for persons who unlawfully make, acquire, possess and/or distribute digital 3D firearms.'

At this point I draw the LACSC's attention to requirements under the *Legislative Standards Act 1992*. Part 4 'Explanatory notes' of the said Act states:

23 Content of explanatory note for Bill

(1) An explanatory note for a Bill must include the following information about the Bill in clear and precise language—

- (a) the Bill's short title;
- (b) a brief statement of the policy objectives of the Bill and the reasons for them;
- (c) a brief statement of the way the policy objectives will be achieved by the Bill and why this way of achieving the objectives is reasonable and appropriate;
- (d) if appropriate, a brief statement of any reasonable alternative way of achieving the policy objectives and why the alternative was not adopted;
- (e) a brief assessment of the administrative cost to government of implementing the Bill, including staffing and program costs but not the cost of developing the Bill;
- (f) a brief assessment of the consistency of the Bill with fundamental legislative principles and, if it is inconsistent with fundamental legislative principles, the reasons for the inconsistency;
- (g) a brief statement of the extent to which consultation was carried out in relation to the Bill;
- (h) a simple explanation of the purpose and intended operation of each clause of the Bill;
- (i) if the Bill is substantially uniform or complementary with legislation of the Commonwealth or another State—

(i) a statement to that effect; and

(ii) a brief explanation of the legislative scheme.

(2) If the explanatory note does not include the information mentioned in subsection (1), it must state the reason for non-inclusion.

It is respectfully submitted that the explanatory notes accompanying the bill satisfies all of the requirements under the relevant provisions of the *Legislative Standards Act 1992*. Furthermore, it is asserted that the policy objectives are clear and consistent with the clauses of the proposed legislation – i.e. Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014.

In part, the PSBA's response to 'Submission 002' states:

The SUQ may have also misinterpreted the offence provisions of the Bill dealing with a 'digital 3D firearm' as they state 'given the definitions contained in existing legislation and the research undertaken by the Queensland Parliamentary Library and Research Service, it appears that the proposed legislation is already handled in the existing *Weapons Act 1990*.'

Furthermore, the PSBA's response to comments by myself re 'Submission 002', in part, states:

Mr Judge does not address the SUQ's concern regarding digitised drawings of existing firearm parts. Rather, Mr Judge states the SUQ has incorrectly interpreted the offence provisions in the Bill dealing with the digital 3D firearm data file.

It is identified that the PSBA's response fundamentally fails to recognise and articulate that the accuracy of submissions requires the author(s) to read the bill including definitions as well as explanatory notes in conjunction, not isolation, so as to ensure accuracy of any submission. As relevant clause 7 of the bill defines the terms 'digital 3D firearm' and 'digital 3D model' as follows:

- *Digital 3D firearm* means a digital 3D model of a firearm from which a physical version of the firearm can be manufactured using an additive manufacturing process.
- *Digital 3D model* means a digital mathematical representation of a 3D object or thing.

Mindfulness of these definitions among others in the bill overcomes any mistaken belief that the targeted offences are already dealt with under the *Weapons Act 1990*. To support this assertion it is acknowledged that 'Submission 003' made by the Aboriginal and Torres Strait Legal Service (Qld) Ltd distinguished this fact, undoubtedly attributable to their legal expertise and ultimately resulting in support of the bill which also includes a licensing scheme and transitional provisions for it.

It is emphasised that the definitions within the bill were carefully considered and expertly formulated by legislative drafters from the Office of Queensland Parliamentary Counsel (OQPC). Subsequently, the purpose of highlighting that certain submissions contained misinterpretations was to effectively steer committee members and submitters alike toward a more detailed and accurate reading of the bill, including definitions as well as explanatory notes. This is an important point seemingly overlooked in the PSBA's response.

PSBA's answers to questions

In following, it is noted that the LACSC requested the PSBA's to provide answers to three explicit questions. Regarding the first question raised by the LACSC:

- Question 1: Is the making, acquiring, possession and distribution of 3D firearms covered by existing legislation? If so, where?

This question omits the word "digital" before the term "3D firearms" which is significant. The response given by the PSBA's is therefore correct and not disputed but totally irrelevant to the bill. Importantly, the PSBA's response contains the following information, (see page 1 of the PSBA's response):

In effect, Clause 7 of the Bill is defining a 'digital 3D firearm' as the digital 3D firearm data file that the 3D printer reads in order to print the firearm. A reference in the Bill to a 'digital 3D firearm' is not a reference to the 3D printed gun itself (emphasis added).

Had the correct terminology been applied – i.e. digital 3D firearms – within the context of the question posed by the LACSC then the answer provided would have been that the targeted offences are not covered by existing legislation. Again, this is confirmed in the PSBA's response which contains the following information, (see page 1 of the PSBA's response):

While the Weapons Act 1990 provides offences for the unlawful manufacture, supply and possession of firearms, it does not extend to the unlawful manufacture, distribution, acquisition and possession of 'digital 3D firearms' as defined in the Bill (emphasis added).

It should be noted that the question of whether existing legislation addressing the making, acquiring, possession and distribution of digital 3D firearms (emphasis added) was thoroughly explored in researching and preparing the bill including by expert drafters from OQPC. The bill was introduced to overcome an apparent legislative shortfall and address the possibility for criminality to occur as a result of advancements in computing and 3D printing technology. The reasons for the bill are accurately and succinctly stated in the explanatory notes. To overcome any ambiguity in the PSBA's answer and in order to be perfectly clear, the *Weapons Act 1990* does not contain any provisions whatsoever relevant to the making, acquiring, possession and distribution of a 'digital 3D firearm'.

Regarding the second question raised by the LACSC:

- Question 2: If the making, acquiring, possession and distribution of 3D firearms is not covered, are the penalties and licensing provisions proposed in the Bill consistent with existing provisions?

The PSBA deemed this question to be "not applicable". Again, this a direct consequence of the omission of the word "digital" before the term "3D firearms". It is regrettable that the PSBA's response did not clarify consequences of the omission of the word "digital" from questions posed by the LACSC. It is apparent that the LACSC's questions were related to the bill so therefore it would have been sensible for the PSBA's response to highlight this issue and address it in answering the impacted questions. Irrespective, for the information of the LACSC, endeavours were made via expert drafters at OQPC to achieve consistency with existing legislation.

Regarding the third question raised by the LACSC:

- Question 3: Would the use of a 3D weapon be included in the definition of a 'firearm' pursuant to the *Weapons Act 1990*, Schedule 2 dictionary definition (pp 188-198) as specifically contemplated by the example provided - 'A replica of a gun capable of causing death or injury by discharging a projectile is a firearm.'

The LACSC's attention is drawn to the definitions within the bill and, in particular, to the above definitions as relevant to the third question raised by the LACSC. It is important to comprehend that a Digital 3D firearm means a digital 3D model of a firearm from which a physical version of the firearm can be manufactured (emphasis added). Hence, it is not a physical item and therefore not possibly a replica of a gun. Rather it is a "computer program" to apply lay terminology and assist understanding.

The LACSC's attention is once again drawn to the reasons for the bill as well as the research brief tabled with the bill. Committee members are also encouraged to search and research "3D printing" as readily available online to gain an even more thorough appreciation of the technology as applicable to the bill. "Computer programs" and 3D printers can now be used to produce items like titanium bicycle frames and even more intricate components. For this reason it is once more emphasised that laws must keep pace with technology to effectively protect the community and all citizens alike.

Since the 2000's there has been a rapid increase in "online crime" including the making, distributing and possession of child abuse images for example. Individuals and groups of offenders are being detected but unfortunately networks of offenders are also expanding, nationally and internationally.

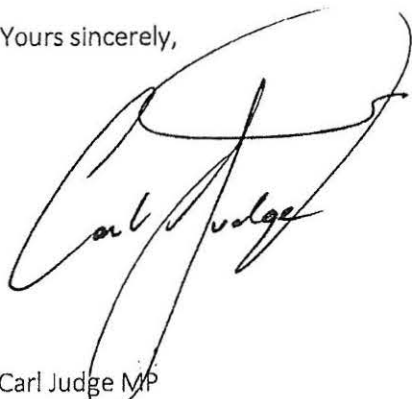
This provides a disturbing but real example of how "online crimes" like making, acquiring, distributing and possession of 'digital 3D firearms' can occur and infiltrate modern society. Fraud, computer hacking, information and identity theft and the production of falsified documentation are just some other examples of increasingly common "online crimes".

The offensiveness of 'digital 3D firearms' is not comparable to child abuse images although such "computer programs" are arguably somewhat analogous to precursors for producing illicit dangerous drugs. Successfully protecting the community from crimes including illegal firearms, often associated with the activities of criminal organisations, requires up-to-date legislation. Cause for further concern is recent political confirmation that Australia and, indeed, Queensland has entered a new era of risk associated with the threat of terrorism. Modernising the *Weapons Act 1990* through the proposed amendments in the bill is timely and warrants comprehensive consideration by the LACSC.

In conclusion it is averred that the PSBA's response has failed to sufficiently examine the bill and take into account matters raised in this report including trends in crime and heightened threats of terrorism. From this perspective and taking into account that the PSBA's response acknowledges that the targeted offences are not covered by existing legislation, and nor is the licensing scheme, it is somewhat concerning that it was stated that the Queensland Police Service does not support the bill. The failure to provide any further information and/or explanation in the PSBA's response on the bill negligently deprives the LACSC of the department's rationale for the position taken. This is particularly concerning for non-government members on the LACSC. Departments not providing responses to private members bills or alternatively providing unsubstantiated responses in this manner is unjustifiably deficient. It inhibits proper consideration and scrutiny of legislation. It also lessens the transparency and accountability of the Newman Government.

I trust that the supplementary information provided will assist the LACSC and individual committee members' consideration of the Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014. Should the LACSC seek further assistance in interpreting and understanding this important bill I am very willing to attend a private briefing.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Carl Judge', with a large, sweeping flourish extending from the end of the signature.

Carl Judge MP
Member for Yeerongpilly

RECEIVED

- 8 SEP 2014

**LEGAL AFFAIRS AND COMMUNITY
SAFETY COMMITTEE**



**Queensland
Government**

**Office of the
Chief Executive Officer**

**Public Safety
Business Agency**

Ref No: 14082 P62 LE

08 SEP 2014

Mr Ian Berry MP
Chair
Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000

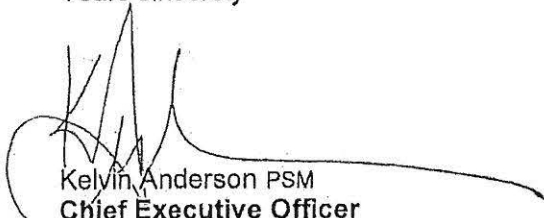
Dear Mr Berry

Thank you for your email of 21 August 2014 requesting a response on submissions received, including comments provided by Mr Carl Judge MP, with respect to the Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014 (the Bill). A reply to three questions was also requested.

In response, the Public Safety Business Agency has prepared a report on the submissions received by the Legal Affairs and Community Safety Committee (the Committee) including answers to questions to assist the Committee in its scrutiny of the Bill. This report is attached for your consideration.

The relevant contact officer to assist the Committee is Senior Sergeant Ian Carroll, Legislation Branch, who can be contacted by telephone [REDACTED] or by email [REDACTED]

Yours sincerely


Kelvin Anderson PSM
Chief Executive Officer
Public Safety Business Agency

Creating a safer Queensland
Level 24 State Law Building
60 Ann Street Brisbane
GPO Box 9879 Brisbane
Queensland 4001 Australia
Telephone +61 7 3239 0500
Facsimile +61 7 3239 6529
Website www.communitysafety.qld.gov.au
ABN 19 823 962 345

Legal Affairs and Community Safety Committee

Report on Submissions for the Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014

TITLE OF BILL: Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014

REPORT OF: The Public Safety Business Agency

DATE: 2 September 2014

INTRODUCTION AND SUMMARY:

On 22 May 2014, Mr Carl Judge, the member for Yeerongpilly introduced the Weapons (Digital 3D and Printed Firearms) Amendment Bill 2014 (the Bill) into Parliament. The Bill proposes to amend the *Weapons Act 1990* to:

- establish a new licensing condition for armourers to use the additive manufacturing process to manufacture firearms;
- establish a new licensing scheme for businesses and prescribed educational institutions to make, acquire, possess and distribute the digital 3D firearm data file for approved purposes; and
- establish new offences for unlawfully making, possessing, acquiring and distributing a digital 3D firearm data file.

The Bill was referred to the Legal Affairs and Community Safety Committee for consideration on 22 May 2014.

Response to Submission 001: Mr David Nielsen

The submission received from Mr David Nielsen does not support the Bill.

Mr Nielsen states the fundamental premise of the Bill is to legislate against the manufacture, distribution and ownership of firearms that are manufactured by the digital fabrication process. Mr Nielsen states that the premise of the Bill is adequately provided by the *Weapons Act 1990*.

While the *Weapons Act 1990* provides offences for the unlawful manufacture, supply and possession of firearms, it does not extend to the unlawful manufacture, distribution, acquisition and possession of 'digital 3D firearms' as defined in the Bill.

Clause 7 of the Bill defines the parameters of a digital 3D firearm as:

digital 3D firearm means a digital model of a firearm from which a physical version of the firearm can be manufactured using an additive manufacturing process.

digital 3D model means a digital mathematical representation of a 3D object or thing.

In effect, Clause 7 of the Bill is defining a 'digital 3D firearm' as the digital 3D firearm data file that the 3D printer reads in order to print the firearm. A reference in the Bill to a 'digital 3D firearm' is not a reference to the 3D printed gun itself.

Mr Nielsen's misinterpretation is exacerbated by the Explanatory Notes accompanying the Bill which indicate, in part, that the objectives of the Bill are to 'create offences and punishment provisions for persons who unlawfully make, acquire, possess and/or distribute digital 3D firearms'.

Response to Submission 002: Shooters Union of Queensland Inc.

The submission received from the Shooters Union of Queensland Inc. (SUQ) does not support the Bill.

The SUQ raises concerns that the Bill poses a risk to innocent members of the public who may possess firearm drawings to source parts for damaged or broken firearms. The SUQ argue that such drawings, if digitised, may fall within the Bill's definition of a digital 3D firearm and the offence provision for their unlawful possession.

The Queensland Police Service has advised that the parameters of the proposed amendments would not extend to digital drawings or diagrams of a firearm unless that drawing or diagram was in the correct mathematical format for manufacture using a 3D printer.

The SUQ may have also misinterpreted the offence provisions of the Bill dealing with a 'digital 3D firearm' as they state 'given the definitions contained in existing legislation and the research undertaken by the Queensland Parliamentary Library and Research Service, it appears that the proposed legislation is already handled in the existing *Weapons Act 1990*.'

Response to Submission 003: Aboriginal and Torres Strait Legal Service (Qld) Ltd

The Aboriginal and Torres Strait Islander Legal Service (Qld) Ltd support the objectives of the Bill in its current format.

Response to Comments of Mr Carl Judge MP

In his letter dated 22 July 2014, Mr Judge provided comment to the Legal Affairs and Community Safety Committee on the three submissions to the Bill.

Response to comments of Mr Judge on submission 001: Mr David Nielsen

Mr Judge states that Mr Nielsen has incorrectly interpreted the offence provisions dealing with the making, possession and distribution of 'a digital 3D firearm' in isolation from the definitions section of the Bill. Consequently, Mr Nielsen believes the offence provisions in the Bill are dealing with the digital 3D firearm and not the digital 3D firearm data file.

The Explanatory Notes accompanying the Bill, in particular the Objectives of the Bill, are ambiguous and do not clearly articulate the parameters of the Bill. In particular, the Explanatory Notes states that the objectives of the Bill are to 'create a licensing scheme for persons who make, acquire, possess and/or distribute digital 3D firearms as well as for licensed armourers involved in the manufacturing of firearms using an additive manufacturing process' and 'to create offences and punishment provisions for persons who unlawfully make, acquire, possess and/or distribute digital 3D firearms.'

Response to comments of Mr Judge on submission 002: SUQ

Mr Judge does not address the SUQ's concern regarding digitised drawings of existing firearm parts. Rather, Mr Judge states the SUQ has incorrectly interpreted the offence provisions in the Bill dealing with the digital 3D firearm data file.

Response to comments of Mr Judge on submission 003: Aboriginal and Torres Strait Islander Legal Service (Qld) Ltd

Mr Judge quotes the Aboriginal and Torres Strait Islander Legal Service (Qld) Ltd who stated "we support the objectives of the Bill and do not see any issues with its operation."

No further comment was provided by Mr Judge on this brief submission and consequently no critique can be made.

Response to Mr Judge's conclusion

In conclusion, Mr Judge states that the Queensland Parliamentary research brief reveals a very real and increasingly significant risk of criminality targeted by the Bill.

In terms of risk, the research brief identifies that:

- 3D printers are becoming less expensive to purchase;¹

¹ Queensland Parliamentary Library and Research Brief, Paper 5179, 22 May 2014, p 1.

- in 2013, Cody Wilson of Defense Distributed in the United States used a 3D printer to make a plastic gun and then made the CAD files to manufacture the gun available on line before the United States government requested the files be removed;²
- in 2013, the New South Wales Police Force printed and test fired a plastic gun concluding that they are undetectable, untraceable, cheap, easy to make and can kill.³

The research brief concludes⁴ that while their research has not revealed any offences for downloading or possessing computer files for the creation of plastic guns using 3D printers, it does indicate a 3D printed gun, which falls within the definition of a firearm in Schedule 2 of the *Weapons Act 1990*, is likely to be treated in the same way as any other firearm under the *Weapons Act 1990*. As such it would be an offence to manufacture a gun⁵, to possess a gun⁶ or supply it to another person⁷ without a licence.

Question 1: Is the making, acquiring, possession and distribution of 3D firearms covered by existing legislation? If so, where?

The unlawful manufacture, possession and supply of a firearm, regardless of the manufacturing process (e.g. metal or plastic), is captured by sections 69(1A) 'Armourers to be licensed', 50 'Possession of weapons' and 50B 'Unlawful supply of weapons' of the *Weapons Act 1990*.

The *Weapons Act 1990* does not require the firearm to be manufactured from any particular material in order to satisfy these offence provisions.

A key element to substantiating these offence provisions where a 3D printed plastic firearm is involved, is whether the firearm is a firearm within the meaning of Schedule 2 'Definitions' of the *Weapons Act 1990*.

Question 2: If the making, acquiring, possession and distribution of 3D firearms is not covered, are the penalties and licensing provisions proposed in the Bill consistent with existing provisions?

Not applicable.

Question 3: Would the use of a 3D weapon be included in the definition of a 'firearm' pursuant to the *Weapons Act 1990*, Schedule 2 dictionary definition (pp 188-198) as specifically contemplated by the example provided – 'A replica of a gun capable of causing death or injury by discharging a projectile is a firearm.'

The unlawful use of firearms in Queensland is generally captured by the *Weapons Act 1990*⁸ and the *Criminal Code*⁹. The definition of a firearm is contained in Schedule 2 'Dictionary' of the *Weapons Act 1990*:

firearm means—

- (a) a gun or other thing ordinarily described as a firearm; or
- (b) a thing ordinarily described as a weapon that, if used in the way for which it was designed or adapted, is capable of being aimed at a target and causing death or injury by discharging—
 - (i) a projectile; or
 - (ii) noxious, corrosive or irritant liquid, powder, gas,

² Queensland Parliamentary Library and Research Brief, Paper 5179, 22 May 2014, p 1.

³ Queensland Parliamentary Library and Research Brief, Paper 5179, 22 May 2014, p 2.

⁴ Queensland Parliamentary Library and Research Brief, Paper 5179, 22 May 2014, p 8.

⁵ *Weapons Act 1990*, s 69(1A).

⁶ *Weapons Act 1990*, s 50.

⁷ *Weapons Act 1990*, s 50B.

⁸ *Weapons Act 1990*, Part 4 'Possession and use of weapons'.

⁹ *Weapons Act 1990*, s 159 'Criminal Code to be read with Act'.

- chemical or other substance; or
- (c) a thing that would be a firearm mentioned in paragraph (a) or (b), if it were not temporarily inoperable or incomplete; or
- (d) a major component part of a firearm; but does not include—
- (e) an antique firearm, explosive tool, captive bolt humane killer, spear gun, longbow or crossbow; or
- (f) a replica of a spear gun, longbow or crossbow; or
- (g) a slingshot, shanghai or sword; or
- (h) a public monument.

Example—

A replica of a gun capable of causing death or injury by discharging a projectile is a firearm. However, a replica of a gun not capable of causing death or injury by discharging a projectile is not a firearm.

Is a 3D printed firearm a replica of a gun, and if so, is it capable of causing death or injury by discharging a projectile?

Section 6A 'What is a replica' of the *Weapons Act 1990* provides that a replica of a weapon is a reasonable facsimile or copy of a weapon. A weapon includes a firearm.¹⁰ The *Weapons Act 1990* does not define what a gun is.

To manufacture a 3D printed plastic firearm, a 3D printer firstly reads a digital file that provides information on how each individual firearm component is to be printed. When all the component parts are printed, the firearm is then assembled and generally a nail is used as a firing pin.

The tribunal of fact may call upon opinion evidence to assist in determining whether a thing produced to it, and examined by it, is a weapon, replica weapon or a firearm.¹¹ In such instances the Queensland Police Service (QPS), Ballistics Unit, examine weapons and provide statements as approved officers.

The QPS Ballistics Unit is able to certify whether a weapon is a replica of a weapon and whether it is capable of causing death or injury by discharging a projectile. The Ballistics Unit has indicated that each firearm must be treated on a case by case basis. The Ballistics Unit has indicated that a 3D printed plastic firearm would be examined and certified in a similar manner to a homemade metal gun.

Difficulties may arise in certifying that a 3D printed plastic firearm is a replica of a gun as 3D printed firearms generally have a unique appearance and are not typically a copy of an established gun design.¹²

The Ballistics Unit indicate a stronger argument is that a 3D printed firearm is a firearm (as opposed to a replica of a gun) under Schedule 2 of the *Weapons Act 1990*, as it:

- is a gun or other thing ordinarily described as a firearm; or
- is a major component part of a firearm (e.g. frame and barrel) without which the firearm would be considered inoperable or incomplete; or
- is a thing that would be a firearm if it were not temporarily inoperable.

In making this determination, the Ballistics Unit would examine the firing action of the weapon to determine the method in which ammunition is loaded, locked, and extracted. Ballistics Unit would then test fire the weapon to determine if it would be capable of causing injury by discharging a projectile.

¹⁰ *Weapons Act 1990*, Schedule 2 'Dictionary' definition of 'weapon'.

¹¹ *Weapons Act 1990*, s 163(4) 'Evidentiary provisions'.

¹² A 3D replica of certain firearms, for example AK-47, AR-15 or Vickers Machinegun (all Category R weapons) would by definition (s 8 of the *Weapons Categories Regulation 1997*) be a Category R weapon regardless of whether it can fire or not.

Attachment 1

If the firearm has an overall length of less than 75 cm it falls within Category H of the *Weapons Categories Regulation 1997*.

There currently is no case law dealing with this issue.

The Queensland Police Service does not support the Bill.
