



Archery Victoria			
Title:	Policy and Procedures Manual		
Subject:	Guidance Note – Use of Crossbows		
Approved:		Replaces:	New
Number:	0701	Pages:	7

## 0701. Guidance Note – Use of Crossbows in Victoria

*(Guidance Notes are issued by the Archery Victoria Board. They are not a policy but are designed to give guidance or information to clubs and members on particular issues. Some of these issues may involve legislation. Legislation must be followed and clubs or members cannot vary the legislative aspects of a guidance note. Guidance Notes remain current until replaced or revoked.)*

### 1. Objectives

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The rules and regulations surrounding acquiring and use of a crossbow are often a heavily debated area within our sport, this guidance note endeavours to correctly explain any rules surrounding this area of our sport. Legislation is unique to each state. Only the Victorian legislation is covered in this Guidance Note.

### 2. Acquiring and keeping a crossbow?

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There are two options for acquiring and keeping a crossbow in Victoria. You either have to have a permit to acquire a prohibited weapon or you must be eligible for an exemption under the Control of Weapons Act 1990.

A permit is acquired through Victoria Police. This is the link to the Victoria Police websites application form, [http://www.police.vic.gov.au/content.asp?Document\\_ID=3924](http://www.police.vic.gov.au/content.asp?Document_ID=3924).

Exemptions from the requirement for a permit are covered under the Control of Weapons Act 1990 Exemption to Possess Crossbows Order in Council – essentially an addendum to the Control of Weapons Act 1990. The most recent addendum was published in the Australian Government Gazette on 5 Jun 2014 (a copy of addendum is attached to this Guidance Note for your information). Like all legislation this is subject to change and you should always check for the most current legislation before proceeding with your acquisition.

In order to acquire a crossbow with an exemption you must be a member of an organisation listed in the schedule to the Order in Council. The schedule includes members of Archery Australia, Archery Victoria and members of clubs affiliated with Archery Victoria. In order to gain an exemption you must apply in writing (email will suffice) to Victoria Police licensing services and ask for an exemption. You cannot just assume that you have an exemption because you are a member of Archery Australia or an Archery Victoria Club. You must get a written exemption from Victoria Police.

If you gain an exemption you should keep a copy of that exemption along with your current membership card and photo id whenever you have the crossbow in your possession.

### **3. Storing and Transporting a Crossbow**

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There are specific requirements for the storage and transport of a crossbow which are outlined in the Order in Council which is attached below. Please read these requirements carefully and ensure you comply.

### **4. Competing with a Crossbow**

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There are a number of rules that must be followed in relation to the design of your crossbow when competing, such as restrictions on draw weight and sighting devices. These rules can be found at the following link, <http://www.archery.org.au/Portals/22/Chapter15.pdf>.

Not all clubs allow the use of a Crossbow on their premises. Some Local Government Authorities prohibit the use of crossbows whilst some clubs are not set up to safely deal with crossbows on their range. Please consult the committee of the club you plan to shoot at prior to arrival and ensure that you have your exemption, membership card and photo ID with you when you attend a club.

### **5. Responsibility of Archery Victoria Member Clubs**

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Archery Victoria Member Clubs should ensure that all members who shoot crossbows at their club are compliant with the legislation. Do not take for granted that a member is aware of the legislation and knows what they can and can't do. You must ensure that you sight the member's exemption or permit before allowing them to shoot or compete on your range. Member Clubs hosting tournaments must ensure that crossbow entrants have the required exemption or permit.

It is recommended that each Member Club keep a register of crossbow owners along with a copy of their exemption.

**Control of Weapons Act 1990**  
**EXEMPTION TO POSSESS CROSSBOWS**

Order in Council

The Governor in Council, under section 8B of the **Control of Weapons Act 1990**, exempts from the operation of section 5(1), (1AA), (1AB) and (1A) and section 5AA of the **Control of Weapons Act 1990**, in relation to crossbows, a person who is of a class of persons set out in an item in Column 1 of the following Table, in relation to activities involving crossbows as listed in Column 2 of the Table, for the purposes listed in Column 3 of the Table.

**TABLE**

Item	Column 1 Purpose	Column 2 Activities	Column 3 Purposes
1.	A person aged 18 years or over who is an employee, member or volunteer of a museum or gallery registered through the Museum Accreditation Program of Museums Australia to which an exemption is issued under section 184 of the <b>Firearms Act 1996</b> .	Bring into Victoria, cause to be brought or sent into Victoria, display or advertise for sale, sell, purchase, possess, use or carry a crossbow.	Keep and display a crossbow as an historical artefact.
2.	A person aged 18 years or over who is an employee, member or volunteer of a theatre or opera company (including a school production) or film or television production company.	Bring into Victoria, cause to be brought or sent into Victoria, display or advertise for sale, sell, purchase, possess, use or carry a crossbow.	(a) Rehearse for and stage a dramatic or musical performance open to the public; or (b) make a film or television production.
3.	A person aged 18 years or over serving as a member of the naval, military or air forces of the Commonwealth of Australia.	Bring into Victoria, cause to be brought or sent into Victoria, display or advertise for sale, sell, purchase, possess, use or carry a crossbow.	Undertake official duties.
4.	A person aged 18 years or over who is member of a target shooting or hunting organisation listed in Schedule 1.	Bring into Victoria, cause to be brought or sent into Victoria, display or advertise for sale, sell, purchase, possess, use or carry a crossbow.	Participate in target shooting or hunting.
5.	A person aged 18 years or over who is a member of a collectors' club listed in Schedule 2.	Bring into Victoria, cause to be brought or sent into Victoria, display or advertise for sale, sell, purchase, possess, use or carry a crossbow.	Study, collect and display crossbows with an historical or cultural significance.

6.	A person aged under 18 years who is a member of an organisation or group specified in items 1 to 5 above.	Possess, use or carry a crossbow.	Engage in the purposes specified in items 1 to 5 in this Table that relate to the organisation or group to which the person aged under 18 years belongs, when under the supervision of a person aged 18 years or over who has an exemption or approval to possess, use or carry a crossbow.
7.	A person aged 18 years or over who is a veterinarian	Bring into Victoria, cause to be brought or sent into Victoria, display or advertise for sale, sell, purchase, possess, use or carry a crossbow.	Provide animal management and treatment services.

**Conditions**

A person seeking to rely on this Order is subject to the following conditions:

**General conditions**

1. *Storage:* When not being used in accordance with the purpose specified in this Order, crossbows must be stored safely and securely;  
'**stored safely and securely**' means:
  - (a) stored in a manner calculated to ensure that the crossbow is not readily accessible to a person other than the person seeking to rely on the exemption;
  - (b) recurve crossbows must be:
    - (i) fitted with a trigger lock and the keys stored in a separate place; or
    - (ii) stored with a cable lock through the footclaw and connected to the string; or
    - (iii) stored in the unstrung condition with the prod/bow assembly demounted from the stock (where possible);
  - (c) compound crossbows must be:
    - (i) fitted with a trigger lock and the keys stored in a separate place; or
    - (ii) stored with a cable lock through the footclaw and connected to the string; or
    - (iii) stored with the prod/bow assembly demounted from the stock;
  - (d) ensuring that the crossbow is not available for possession, carriage or use by a person who is not themselves a holder of an approval issued by the Chief Commissioner of Police or who does not fall within a class of exempt persons in this Order;
  - (e) when being transported between the usual place of storage of the crossbow and places at which the crossbow is legitimately used for the purposes specified in this exemption:
    - (i) stored in a manner calculated to ensure that the crossbow is not readily accessible to a person other than the person seeking to rely on the exemption; and
    - (ii) that the crossbow is concealed from plain sight during any such transportation.
2. *Pistol crossbows:* This Order does not apply to a 'pistol crossbow'.

3. *Display:* When being displayed, a crossbow must be securely fastened to ensure that it cannot be used. A person seeking to rely on this exemption to display a crossbow with an historical or cultural significance must ensure that the display occurs in the person's residential home or at an official event associated with the organisation of which the person is a member (being an organisation specified in Column 1 in the above Table), and that the display is only made for purposes genuinely associated with the study and collection of crossbows with historical or cultural significance.
4. *Use:* A crossbow must not be carried or used except as follows:
  - at recognised archery ranges;
  - at firearms shooting ranges approved by the Chief Commissioner under section 179 of the **Firearms Act 1996**;
  - tested in a range at a commercial dealer's premises;
  - on Crown land and State Forests with the appropriate permission;
  - in accordance with a valid Game Licence;
  - in accordance with the conditions attached to a validly completed Registration of Interest in hunting pest animals on Crown land issued by the Victorian Government; or
  - on private rural property with the written permission of the land owner or occupier.
5. *Populous places:* Other than to the extent described in paragraph 4 of this Order, a crossbow must not be used in a town or populous place.
6. *Inspection on request:* A person seeking to rely on this exemption must, on request, permit a member of the police force to inspect his or her storage arrangements at any reasonable pre-arranged time.
7. *Record of possession:* A person seeking to rely on this exemption must maintain a record of the quantity and types of crossbows in their possession. These records must be kept for the duration of operation of the exemption and must be made available to a member of the police force for inspection at any reasonable pre-arranged time.
8. *Record of sale:* A person seeking to rely on this exemption who sells a crossbow must keep a record of the sale. The record must be in the form and manner prescribed under the **Control of Weapons Act 1990**, and must be kept for 3 years after the sale. A member of the police force at any reasonable time may require the person to produce the record for inspection.
9. *Persons aged under 18 years:* A person under the age of 18 is not permitted to purchase any prohibited weapon including a crossbow. However, if this exemption applies to a person under 18, he or she may lawfully possess, use or carry a crossbow subject to the terms and conditions of the exemption.
10. *Prohibited persons:* This Order does not apply to a person who is a prohibited person as defined in section 3 of the **Control of Weapons Act 1990**, regardless of whether that person is a member of a class or classes of persons specified in Column 1 of the Table.

#### **Additional conditions relating to Specified Organisations**

11. The following conditions only have effect in relation to members of organisations specified in Schedule 1 and Schedule 2 to this Order ('Specified Organisations') who engage in activities involving crossbows for the purposes specified in the Table. They do not have effect in relation to members who do not engage in such activities.
12. Upon joining a Specified Organisation, a person must acknowledge and consent to follow the conditions outlined in this Order.

***Prohibited person check***

13. A Specified Organisation must be satisfied that each of its members who possesses, uses or carries a crossbow is not a 'prohibited person' as defined in section 3 of the **Control of Weapons Act 1990**. This may require the organisation to arrange for each member to undergo a Criminal History Check or to provide a Statutory Declaration affirming that they are not a prohibited person. A member of a Specified Organisation who holds a Firearms Licence issued under Part 2 of the **Firearms Act 1996**, an individual approval issued by the Chief Commissioner of Police under section 8C of the **Control of Weapons Act 1990** or a licence issued under Division 2 of Part 3 of the **Private Security Act 2004**, is not required to undergo a Criminal History Check or provide a Statutory Declaration.

***Other organisational requirements***

14. A Specified Organisation must not publish material, including on a website, which promulgates irresponsible, unlawful or unsafe use of a prohibited weapon.
15. A Specified Organisation must make available to its members information on the Governor in Council exemptions.
16. A Specified Organisation must inform the Department of Justice, Victoria, within 28 days of any change in the Office Bearers of the organisation or their contact details.
- The department's email address for this purpose is [weapons@justice.vic.gov.au](mailto:weapons@justice.vic.gov.au).

**Revocation**

17. The Governor in Council, under section 8B of the **Control of Weapons Act 1990**, revokes the Order in Council dated 16 June 2004 and published in Government Gazette G25 on 17 June 2004 ('Exemption to Possess General Category Crossbows'), which exempts specified classes of persons from provisions of the **Control of Weapons Act 1990** for activities in relation to crossbows as specified in that Order.

**Period of Application**

18. This Order comes into operation on and from the date of its publication in the Government Gazette.

Dated 3 June 2014

Responsible Minister:

KIM WELLS MP

Minister for Police and Emergency Services

YVETTE CARISBROOKE  
Clerk of the Executive Council

**SCHEDULE 1****Target Shooting and Hunting Organisations**

Archery Australia  
Archery Victoria  
Australian Bowhunters Association  
Australian Deer Association  
Clubs affiliated with Archery Australia  
Clubs affiliated with Archery Victoria  
Clubs affiliated with the Australian Bowhunters Association  
Clubs affiliated with the Australian Deer Association  
Field and Game Australia Inc.  
Gippsland Deer Stalkers Club  
North Eastern Deer Stalkers Association  
Shooting Sports Council of Victoria  
Sporting Shooters Association of Australia (Victoria) Deerstalkers Club

Sporting Shooters Association of Australia (Victoria) Field Hunters Club  
Victorian Deer Association  
Victorian Field and Game Association  
Victorian Game and Deer Stalking Association Inc. (VicGame)

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**SCHEDULE 2**

**Collectors' Organisations**

Antique & Historical Arms Collectors Guild of Victoria Inc  
Ararat Historical Arms Collectors Club Inc  
Arms Collectors Guild of Tasmania  
Ballarat Arms & Militaria Collectors Society Inc.  
Golden City Collectors Association Inc. of Bendigo  
Northern Victorian Arms Collectors Guild  
Sporting Shooters Association of Australia Mildura Arms and Militaria Collectors Guild  
Sporting Shooters Association of Australia (Victoria) Arms and Militaria Collectors (Melbourne)  
Sporting Shooters Association of Australia (Victoria) Military Collector Club  
United Firearms Collectors Guild of Victoria

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