

Firearms and Victorian Museums

This information sheet outlines legal obligations and proper procedures for Victorian museums which hold (or wish to acquire) firearms.

1. Museum Exemption (Museum Permit)

In order to legally hold or acquire a firearm, museums must obtain an exemption from the law governing firearms licensing. Section 184 of the *Firearms Act* (Victoria) allows the Chief Commissioner to recommend to the Minister that a museum be granted an exemption from the requirements of the Act if the Chief Commissioner is satisfied that:

- the museum is a body corporate which is not run for profit and is publicly funded, and
- the premises of the museum are open to the public, and
- the museum is of an educational, historical or cultural nature.

There is no fee for the application for the exemption if it is granted.

A museum that wants to seek exemption from the Act needs to provide a written submission to:

**Regulation Support Unit
Licensing Services Division
Victoria Police
GPO Box 2807
Melbourne VIC 3001**

The submission should contain documentary evidence showing that the applicant meets the above-mentioned criteria for museum status. Documents normally include:

- A written summary of the museum history, its objectives etc
- An explanation as to what type of firearm(s) is held, if & how they will be displayed, firearms storage provisions, etc
- Photographs of the premise (internal and external)
- Copy of certificate of incorporation etc
- List of management, employees and volunteers etc
- Copies of any advertising pamphlets etc
- Any other relevant documentation deemed relevant.

An inspection of the venue will be arranged to ensure the museum meets the minimum security requirements. It usually takes Victoria Police about 3 weeks to complete its part of the application process, including the physical inspection of the premises. The application is then passed to the Department of Justice for consideration by the Minister. Previous applications have taken between 6-9 months to be signed off by the Minister.

2. Conditions for exempted museums

Strict conditions apply to the handling, storage and display of firearms by museums, and the exemption depends on these conditions being in place. Firearms in possession of museums have to be registered. The registration process is simple and will be explained to any successful museum-exemption applicants.

Firearms must be stored in a permanent building with secure locks on all openings. The premises must have an effective alarm system. The room in which the firearm(s) are stored must have:

- walls which are a substantial barrier to entry
- any windows fitted with security bars, and
- solid (or metal reinforced) doors fitted which have a dead latch or barrel bolt type lock, and concealed or welded hinge pins (so they cannot be removed).

Within this secure room, the firearm(s) must be stored in a steel (or equally robust) container, such as a safe, which must be firmly fixed to the floor or wall. Rules for types of hinges and locks of the container's door are the same as for the room doors.

Museums will be advised if they have a firearm which requires a bolt or firing pin to be removed and stored separately. If this is the case, the removed component must also be stored under the same level of security as the main object.

Firearms on display must be securely fixed to a wall or floor, or in a container of robust material, which is firmly fixed to wall or floor. If the display case has any doors they must have concealed or welded hinges and a secure locking mechanism.

Firearms may only be handled by authorised personnel and only for reasons relating to the function of the museum. For example, visitors and volunteers may not handle a weapon, nor may it be used by staff for leisure purposes.

Exempted museums must agree to permit a member of Victoria Police to inspect the storage and security arrangements at any (reasonable) time. Exempted museums must notify the Chief Commissioner of changes in their status including change of location, closure and/or security arrangements. Under the exemption disposal of firearms from collections may only be made to a licensed firearms dealer or another exempt museum.

For further information:

If your museum holds firearms that may be associated with police history, the comprehensive historical archives and research staff in the Research Unit of Victoria Police Museum are a useful resource. Phone: (03) 9247 5213.

The licensing division of Victoria Police may also be able to answer further questions. Phone: 1300 651 645.

The full *Firearms Act 1996 (Victoria)*; and *Firearms (Amendment) Act 2003* can be accessed online at www.austlii.edu.au/au/vic/