

Laws impacting the sale of **knives and other controlled items** in Queensland.

# GUIDE FOR SELLERS



## [endknifeviolence.com.au](https://endknifeviolence.com.au)

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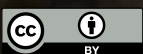
This Guide for Business has been developed by the Queensland Government, Queensland Police Service and the National Retail Association to provide practical guidance for businesses impacted by amendments to the *Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Bill 2023*.

This Guide does not constitute legal advice. Businesses are encouraged to refer directly to the legislation and seek their own legal advice to ensure compliance.

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# About the new laws.

## WHAT

There are new laws coming into effect in Queensland from **1 September 2024** which mean that knives and other items will be considered **controlled items**.

Sellers must ensure controlled items **are not sold to minors** under 18 years and this will require age checks, staff instruction, in-store signage, and advertising restrictions. Some knives, such as those made from plastic or with a rounded end, are exempt.

Particular controlled items, such as axes, machetes, and swords, cannot be sold to minors and must also be securely stored prior to sale, such as in locked cabinets or tethered so they cannot be removed without staff assistance. Restricted items, such as certain gel blasters which could be mistaken for real firearms, cannot be sold to minors and must be securely stored.

## WHY

While the majority of knives and bladed items purchased from a store are not used in crime, some are bought or stolen and used as a weapon. Knife-related crime poses a serious risk to community safety with increased offences reported, especially in crimes committed by minors.

Queensland's new laws are designed to reduce the accessibility of certain items to young people, deter violent offences, support responsible retailing, and improve community safety. Restrictions on controlled items are just one part of a large suite of initiatives being implemented by the Queensland Government and the Queensland Police Service to strengthen community safety.

## WHO

The laws apply to **all persons**, businesses and places which sell impacted items outside Queensland and/or to a person in Queensland. Sellers include all retailers, such as supermarkets, hardware, sporting, outdoor, fishing, craft, discount, convenience, kitchenware and other outlets. It also applies to members of the public or non-business organisations who sell controlled items, such as sporting groups, online sales, second-hand sales, market sellers or events.

## WHEN

In 2023, the Queensland Government announced their intention to strengthen knife legislation. In February 2024, the *Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Bill* was passed.

**Regulations will come into effect from 1 September 2024.** Penalties apply for non-compliance.

**Businesses are encouraged to start making changes immediately.**



## 8 Steps for Sellers

- 01** Assess your range for impacted items.
- 02** Consider whether you need to sell these items.
- 03** Ensure you do not sell to minors.
- 04** Display signage about age restrictions.
- 05** Instruct your staff and keep records.
- 06** Check items are not promoted illegally.
- 07** Ensure particular controlled items are securely stored.
- 08** Check requirements for restricted items and weapons.

The **National Retail Association** has been engaged by the Queensland Police Service to engage and assist businesses to understand and prepare for the new laws.

From May to October 2024, the National Retail team are delivering a range of support services for businesses, including a tollfree hotline, factsheets and signage, online webinars, and physical visits to thousands of stores in retail centres and precincts across Queensland.

This document provides guidance for businesses which sell knives and other controlled items to Queensland customers.

## STEP 01

### Assess your range.

To understand your responsibilities, review your range and determine whether an item is:

- ▶ Exempt
- ▶ Controlled
- ▶ Controlled-Secured
- ▶ Restricted

If unsure, the National Retail Association recommends a risk-averse approach which focuses on the intent of the legislation which is to prevent potentially harmful items from ending up in the wrong hands.

National Retail recommend that businesses should not rely on how the product is named or labelled, and should also check for controlled items in multi-item or toolbox kits.

Consider how an average person (not a specialist or tradesperson) would classify the item, whether it poses danger in the hands of minors or if it was used in a crime, and what is the risk of breaching the law if you classify it incorrectly.

For example, an item may be labelled as a hatchet but most people would still consider this a form of axe, therefore it may be best to treat this as an axe and apply secure storage requirements.

#### Need help understanding if your item is impacted?

Businesses can contact the National Retail Association for industry insight or seek independent legal advice.

### Your responsibilities as a seller:

Sale to minors under 18 years prohibited.

Staff must be instructed of their obligations, with written acknowledgement.

Sellers must display signage about the legal age restrictions.

Sellers must not suggest or promote item as suitable for combat or violence.

Items must be securely stored prior to sale.

## EXEMPT

- ▶ Knife with rounded or dull tip (eg. butter knife)
- ▶ Plastic or wooden knife for eating
- ▶ Cheese knife
- ▶ Items that are not likely to be considered knives, such as scissors, shears, secateurs, most shaving razors, and replacement blades for box-cutters or scalpels



**NO**

**NO**

**NO**

**NO**

**NO**

*Note: images are examples only*

# CONTROLLED

Knives with one single-sided blade, such as:

- ▶ Kitchen or steak knife
- ▶ Utility knife or box-cutter
- ▶ Fishing knife
- ▶ Craft scalpel
- ▶ Cut throat razor
- ▶ A single-sided knife within a multi-tool or kit



**YES**

**YES**

**YES**

**YES**

**OPTIONAL**

# CONTROLLED-SECURED

A specific list of items are identified:

- ▶ A dagger that has a double-edged blade
- ▶ A knife (or multi-tool) with a blade at each end
- ▶ A sword
- ▶ A machete
- ▶ An axe or tomahawk
- ▶ A sickle or scythe
- ▶ A spear gun or spear

Note: additional bladed items can be prescribed through regulation.



**YES**

**YES**

**YES**

**YES**

**YES**

# RESTRICTED

Replica weapons under the *Weapons Act 1990*.

Example:

- ▶ certain gel blasters which could be mistaken for a real firearm.

Note: please see *Weapons Act 1990* for extensive list of items considered weapons or restricted items.



**YES**

**YES**

**YES**

**YES**

**YES**



## STEP 02

### Consider whether you need to sell these items.

Some businesses need to sell knives, axes, machetes, and other controlled items.

However, if these items are not a core product line and you don't have a clear reason for selling them, **consider removing them from your range.**

If you continue selling these items, you will need to comply with all of the legal requirements, such as ID-checking processes, staff training, displaying signage, changing promotional materials, and you may need to install locked cabinets, cages or tethering devices which could entail significant expense.

If you no longer sell these items, you can reduce:

- ▶ your risk of breaking the law,
- ▶ secure storage costs,
- ▶ having these items stolen, or
- ▶ inadvertently contributing to violent crime.

For example, some homewares, variety and convenience stores offer a few knives or a impacted tools as a small part of their range, and are making the decision to no longer sell these items as the cost, danger and complexity of offering them outweighs their minimal sales.

Other businesses are choosing to remove controlled items from their online store as setting up strong ID checking processes or software, as well as changing all combat-style promotional materials and packaging, is not worth the investment or risk.

Even members of the public who sell secondhand controlled items through online platforms, local markets or events must comply with the law.

If you don't need to sell controlled items, or if you have concerns about complying with the new legal requirements, **consider phasing out these items immediately.**

## STEP 03

### Ensure you and your staff do not sell to minors.

Across Australia, crimes involving knives and other controlled items pose a serious risk to the community with increased offences reported, especially in crimes committed by minors.

By prohibiting the sale of specific items to minors, we can reduce their accessibility to young people, disrupt and deter violent offences, support responsible retailing, and improve community safety.

#### Legal requirements for sellers:

**Sellers and their employees must not sell a controlled or restricted item to a minor aged under 18 years.**

You should take all reasonable steps to verify a customer is not a minor. Unless you can reasonably assess that a person is over 18 years, you must sight acceptable evidence of age.

Sellers may refuse to sell a controlled item without repercussions under the *Anti-Discrimination Act* if the item is being purchased by a minor.

*Penalty for sellers failing to meet these requirements: up to 420 penalty units. Employees who sell to minors face penalties up to 40 penalty units.*

#### Legal requirements for customers:

**A person is prohibited from falsely representing themselves as 18 years or older to buy a controlled item.**

Buyers are required to present acceptable evidence of age if requested by staff, assuming it is reasonable to suspect you are under 18 years (or appear to be around that age).

*Penalty for a person failing to meet these requirements: maximum 25 penalty units.*

#### First, check if you can adapt existing systems

Other items, such as tobacco, liquor and spray paint, are already prohibited from sale to minors. Your business may already have age checking systems and staff training in place which can be simply adapted to meet the new requirements.

Please note that other states and territories may have different rules, such as allowing sale to those 16 years and over. National businesses should ensure their Queensland outlets comply with the Queensland legislation. Online sellers will also need to comply with laws appropriate to each jurisdiction.

### How should we verify age?

You should take all reasonable steps to verify a customer is not a minor. Unless you can reasonably assess that a person is over 18 years, you must sight appropriate identification which displays their age. Many businesses use a simple 3 step age verification process, such as **Assess – Ask – Check**:

- ▶ **Assess** – staff should try to assess the age of the customer and whether there is any chance they are under 25 years (this age buffer allows a margin of error as it can be difficult to visually determine someone’s age).
- ▶ **Ask** – ask the customer to provide identification which shows their age or date of birth, noting you should not ask someone’s age.
- ▶ **Check** – take your time to carefully check the ID is valid, current, unaltered, and that the photo matches the person. Ensure you carefully check the age or date of birth.

### What is acceptable evidence of age?

Acceptable evidence of age is a driver licence, proof of age card, or passport, which includes a photo of the person and indicates their age via their date of birth or otherwise that they have attained a particular age. For example:

- ▶ Australian photo driver licence
- ▶ Australian or overseas passport
- ▶ Australian proof of age card (formerly 18+ card)
- ▶ A digital copy of evidence that displays their name, photo and date of birth.

### What if the ID was fake?

Sellers should take all reasonable steps to ensure the buyer is not a minor. Businesses should train their staff to look for common signs of a fake ID, such as the photo not matching the person or evidence of tampering.

A defence will be available where the person can prove that they sighted acceptable evidence of age and had no reason to believe the evidence produced was false.

### What if a customer refuses to provide ID?

Sellers may refuse to sell a controlled item without repercussions under the *Anti-Discrimination Act*, and should refuse to sell to a person if you suspect they are under 18. If a person becomes aggressive or violent, and your safety is at risk, call Triple Zero (000).

### Should we keep records of ID checks?

It is good practice for businesses to keep records of ID checks for controlled items as they are sold, but it is not mandatory. Some businesses also encourage staff to record incidents where they refused to sell an item.

### Can staff who are under 18 sell controlled items?

It is not an offence for a minor to sell a controlled item to an adult, but they cannot sell to a minor. It is also not an offence for a minor to possess a controlled item if they have a reasonable excuse, such as using a box-cutter during work.

### Can a minor buy a knife for work purposes?

Some minors, such as trade apprentices, may require knives, box-cutters or other controlled items for work purposes. Minors are allowed to possess controlled items if they have a reasonable excuse, however they cannot purchase these items. Adults in a business can purchase and supply controlled items to under-age employees (free or as part of other work arrangements), however they cannot sell these items to under-age employees.

### What if a minor is accompanied by an adult?

It is not an offence to sell a controlled item to an adult accompanied by a minor. It is an offence to sell to a minor.

### How do we verify age online?

Sellers must take all reasonable steps to ensure they do not sell to minors, including online.



Some businesses use third-party verification software or apps which check if the ID is valid. In comparison, a basic pop-up or tick box asking ‘Are you over 18’ is unlikely to provide responsible businesses with confidence that they are not at risk of selling to a minor and breaching the law.

Consider whether you need to sell controlled items online and whether you have the capacity to perform the necessary ID checks. If you are unsure, consider phasing out these items or limit them to physical store sales.

### Systems and signage

It is important to remind staff of their obligations and equip them with the knowledge on how to verify age. Many businesses use register prompts and pop-ups for controlled items which pause the sale until staff physically check ID. Some of these systems ask for staff to enter some details, such as licence number, depending on business policy.



National Retail has developed posters for businesses to display in staff rooms or behind counters to help remind staff of their obligations. Download via the website or contact the National Retail team.

# STEP 04

## Display signage about age restrictions.

APPLIES TO: **CONTROLLED** **CONTROLLED-SECURED** **RESTRICTED**

To promote awareness of the new offences, reflect the seriousness of selling controlled items to minors and to reinforce compliance, sellers are required to display signage publicising the prohibition in all retail outlets where these items are sold.

### Legal requirements for sellers:

**Sellers must display clearly visible signs advising that the sale of controlled items to minors is prohibited.**

Prohibition signs which use the prescribed wording, colour and font must be displayed either:

- ▶ at each point-of-sale in the outlet so it is clearly visible when a person is purchasing a controlled item,

OR

- ▶ at each place where a controlled item is displayed in the outlet so it is clearly visible when a person is viewing the displayed products.

If there is no display location then a sign must be at each point-of-sale. A retail outlet includes any physical premises where the item is sold to customers.

*Penalty for sellers failing to meet these requirements: maximum 20 penalty units.*

### Mandatory signage requirements

Similar to other regulated items, such as spray paint, there will be specific wording, size and colour requirements for signage.

Signage must:

- ▶ be a minimum size of at least 14.8cm x 21cm (A5) in size;
- ▶ display the wording below in black text which is at least 8mm high, on white background; and
- ▶ include the following specific wording (in order):

*The sale of knives and other controlled items to minors is prohibited. Penalties apply.*

*Acceptable evidence of age may be required.*

Official A4 and A5 signs that comply with the above requirements are available via the website, so businesses can download, print and display these signs now. You are welcome to make your own signs and use your own brand, however signs must follow the requirements listed above.

Signage which follows the above requirements **must** be clearly visible at **either** each point-of-sale **or** where each item is displayed from **1 September 2024**.



Official signage



Example of display



## Optional campaign materials

In addition to displaying signs which meet the specified requirements (see left), businesses may choose to display further campaign materials to help educate your customers.

For example, you may want additional signage throughout your store which uses your business branding or is customised to fit certain shelves, counters or registers.

You may want to include statements to help customers understand your age verification processes, such as “If you look under 25, we will ask for ID”.

For items which are Controlled-Secured you may want to include additional statements advising customers that the items are required by law to be securely stored, and how to ask staff for assistance.

Queensland Police Service and National Retail have developed a range of campaign materials in various sizes which businesses can use voluntarily to supplement the mandatory signage.

Download all signage via the website or contact the National Retail team.

**IMPORTANT:** Campaign signage is not a substitute for mandatory signage which must follow the wording, colour, size and location requirements prescribed under regulation.



A4



A5



A6



Shelf talkers



## STEP 05

# Instruct your staff and keep records.

APPLIES TO: **CONTROLLED** **CONTROLLED-SECURED** **RESTRICTED**

Employees are often responsible for serving customers and processing sales, rather than the business owner. It is vital that staff members understand their obligations and the consequences for them, the business, and the community if controlled items end up in the wrong hands.

### Legal requirements for sellers:

**Staff must be instructed and warned that it is illegal to sell a controlled or restricted item to a minor, with staff acknowledging this in writing.**

Sellers are responsible for ensuring you instruct all employees about:

- ▶ the prohibition on the sale of controlled items to minors, and
- ▶ the requirement that all employees sight acceptable evidence of age before selling a controlled item unless satisfied that the person is an adult.

You must also warn employees of the legal consequences of selling to a minor, and that both the owner and employee can be held liable.

Sellers must obtain the written acknowledgement from the employee that confirms the employee has received these instructions and warning.

*Penalty for sellers failing to meet these requirements: maximum 40 penalty units.*

### Staff instruction

It is at the discretion of the business whether to incorporate instruction about the new laws into existing training or by conducting individual or group meetings with their team.

To meet the legal requirements, your instruction of staff must include:

- ▶ that controlled items must not be sold to minors,
- ▶ that staff must sight acceptable evidence of age unless they are confident the person is over 18 years,
- ▶ that selling a controlled item to a minor is a breach of law which carries legal consequences, and
- ▶ that both the owner and employee can be held liable.

### Keeping records

It is a requirement to obtain written acknowledgement from the employee that confirms they have received instructions and warning about their obligations. This could be a simple physical letter or an electronic form, as long as the business can clearly demonstrate what was instructed and that this was acknowledged by the employee.

It is recommended that businesses keep these records for a reasonable time beyond that staff member's employment in case an incident requires investigation in future.



National Retail has developed a sample staff acknowledgement form for businesses to incorporate into staff training and record-keeping if you do not already have a system in place. Download via the website or contact the National Retail team.

### Additional training (optional)

Many of the controlled items have a sharp blade or other potentially dangerous features. It is good practice for businesses to conduct training and implement processes so staff know how to handle these items safely.

You may want to train your staff in safe handling of products, such as:

- ▶ safe transport of boxes containing sharp objects,
- ▶ transferring stock to display,
- ▶ careful merchandising to prevent accidental harm (such as children handling items or dangerous items falling off shelves above customers or staff),
- ▶ handling sharp items with customers, and
- ▶ safe management of returned or damaged stock.

Some businesses also train staff to be aware of their surroundings in case of dropped items or attempted theft, or processes where customers must wait at the counter for controlled items rather than handling these on the shop floor.

In addition, some controlled items, such as box-cutters, may be used daily by your staff in their ordinary work. For example, some businesses provide knife-safe gloves, while some require staff to ensure box-cutters are never left unattended and are returned before leaving work.

## STEP 06

# Check items are not promoted illegally.

APPLIES TO: **CONTROLLED** **CONTROLLED-SECURED** **RESTRICTED**

While knives and other controlled items are primarily designed for household uses, trades, and sports, some of these products are being promoted or glamourised as weapons suitable for combat or violence.

### Legal requirements for sellers:

**Sellers must not suggest or promote item as suitable for combat or violence.**

Sellers must not sell a controlled item that indicates or suggests the item:

- ▶ is suitable for combat or intended to be used for violence, whether actual or threatened, against a person or fictional creature (eg. zombie weapon), or
- ▶ is likely to stimulate or encourage violent or criminal behaviour that involves using the item.

*Penalty for sellers failing to meet these requirements: maximum 25 penalty units.*

Check all features of a controlled item, or the way in which the item is sold, such as:

- ▶ images, words or markings on the item
- ▶ images or words in an advertisement or signage
- ▶ images or words in website content
- ▶ images or words packaging for the item
- ▶ product names

These elements must not indicate or suggest that the item is suitable for combat, intended for violence, or be likely to encourage violent behaviour.



*Images above are examples only*

### How to assess your items

If unsure, the National Retail Association recommends a risk-averse approach which focuses on the intent of the legislation which is to prevent functional items being glamourised like weapons or encouraging violence or criminal activity.

Consider how an average person would view the item's name, description, markings, packaging or promotion (whether physical or online), and if any of these could be interpreted as suggesting violence or combat.

Examples:

- ▶ A knife or dagger which possesses an image of blood on the blade or contains words such as 'killer' or 'slayer' anywhere on the knife, packaging or associated items (such as a sheath), would be prohibited.
- ▶ Items such as 'zombie knives' (knives, swords, machetes or other bladed weapons often inspired by horror films and designed or marketed in a manner which suggests they are suitable for violence, including to 'exterminate the undead') would be prohibited.
- ▶ Images or wording which suggests use by criminals, 'thugs' or fictional criminal figures, or suggests their use is for violence, harm or criminal activity, would be prohibited.

Businesses should use their best judgement or seek legal advice, however anything that suggests there is notoriety associated with knife possession or glamourises them as deadly weapons is likely to be prohibited.

### What if I don't control the branding or promotion?

The end seller is ultimately responsible for ensuring items are not promoted in an illegal manner. If you stock brands which have illegal features, but you do not control the brand or packaging, contact the product supplier.

If the supplier is unable to correct illegal elements, you may need to consider removing illegal packaging, sourcing from a different supplier, or removing the product entirely.

Requirements for most single-edged knives cease here.

Continue to Step 7 and 8 if you sell controlled or restricted items requiring secure storage.



## STEP 07

# Ensure particular controlled items are securely stored.

APPLIES TO: **CONTROLLED-SECURED** **RESTRICTED**

Unfortunately, particular items, such as axes, machetes and hunting knives are increasingly being stolen and used in criminal activity to create fear, harm and even death. While most people do not use these items inappropriately, precautions are needed to prevent theft and unauthorised access, given their ability to be used as deadly weapons.

### Which items must be securely stored?

Under the new legislation, **particular controlled items** and **restricted items** must be securely stored. Secure storage for single-edged knives is not mandatory.

Controlled items requiring secure storage are:

- ▶ A dagger that has a double-edged blade
- ▶ A knife with a blade at each end
- ▶ A sword, machete or axe
- ▶ A sickle or scythe
- ▶ A spear gun or spear
- ▶ Any other bladed item prescribed by regulation.

Secure storage already applies to items classified as restricted items or weapons, such as certain gel blasters and handcuffs.

See **STEP 01: Assess your range** for examples of *Controlled-Secured items* and *Restricted items*, as well as advice on how to determine how your item is classified.

### Legal requirements for sellers:

**Sellers must ensure particular controlled items and restricted items are securely stored prior to sale.**

Secure storage is defined as:

- ▶ a locked room,
- ▶ a locked cage,
- ▶ a locked counter,
- ▶ a locked cabinet, or
- ▶ some form of secure tethering cord or device which allows customers to inspect but not remove the product without the assistance of a sales attendant.

*Penalty for sellers failing to meet these requirements: maximum 50 penalty units.*

### What is secure storage?

**Options for secure storage:** a locked room, cage, counter or cabinet, or some form of secure tethering cord or device which allows customers to inspect but not remove the product. Sellers may also use empty packaging or images on display while the actual items are locked away.

**Insufficient storage:** The permitted range of secure storage options is specific in the legislation. Placing items under or behind unlocked counters, on high shelves, or in unlocked storerooms, is not sufficient. Similarly, it is not sufficient to install tether cords or devices where multiple items are secured to each other but could be removed as a whole. Installing security tags or alarms is also not sufficient.

**At all times:** Items must remain securely stored at all times prior to sale, except while in physical possession of a staff member. Ensure that all rooms, cages, cabinets and tethers remain locked when unattended.

### Business considerations

Many businesses already store some products securely to reduce damage or deter theft of popular, expensive or other age-restricted items, such as spray paint and tobacco.

Some businesses may need to make minor adjustments, such as moving stock into existing locked cages or cabinets, adding a locking mechanism to your counters, installing grills and doors across pallet racks, or keeping product in a locked storeroom with empty boxes on display.

Some businesses may need to consider significant changes to equipment, customer service processes and store design, if they decide to continue selling particular controlled or restricted items.

### Store processes and training

Sellers need to ensure the items remain securely stored at all times, including when the stock is not on display, except when in the physical possession of a person.

The National Retail Association recommends businesses implement processes and training to ensure you can maintain security while managing the busy demands of a store.

For example, you may want to consider how keys are stored and monitored, and which staff will be allowed access. You may need to look at how new, excess, returned, or damaged stock of controlled items will be securely stored at all times.

We also recommend that businesses train their staff in safe opening of cages and cabinets which do not put staff at risk should thieves attempt to steal dangerous items.

Secure storage is mandatory for items classified as **Controlled-Secured** and **Restricted** items. It is voluntary for Controlled single-edge knives.

## Voluntary best practice

### Secure storage of other items



Most single-edge knives do not require secure storage under the regulations, however many businesses are implementing these systems and processes voluntarily.

Securing items can prevent theft, reduce risk of the item being used to threaten or injure staff, or avoid accidental injury such as children touching sharp items.

It is important to note that prohibiting the sale of knives to minors may increase risk of theft attempts, so some businesses are choosing to secure all knives to prevent being targeted by thieves.



### Optional signage

Sellers of items requiring secure storage may want to consider additional signage to help customers understand what they need to do in order to access secured items.

Optional signage for businesses is available which advises customers of age requirements, secure storage laws, and how to ask staff members for assistance.

Download via the website or contact the National Retail team.



Images above are examples only

## STEP 08

# Check restricted items and weapon requirements.

APPLIES TO: RESTRICTED

Under the *Weapons Act*, a person must not possess or acquire a restricted item, without reasonable excuse. Restricted items include replica weapons and items that could be easily mistaken for real weapons, such as certain gel blasters.

These items have the potential to cause serious psychological harm to victims, bystanders and police, and may result in the serious physical harm or death of the offender if responding police officers believe the item to be a genuine firearm and utilise proportionate force to mitigate the perceived threat.

## Gel Blasters

A replica firearm that is a restricted item includes life-like toy guns known as Gel Blasters (also known as a gel gun, hydro blaster, or gel ball blaster) that shoot gel pellets, if the design of the item replicates a firearm to the extent that it may be mistaken for a genuine firearm. Gel Blasters like this are a replica firearm under section 9(f) of the *Weapons Category Regulation 1997* and regulated under section 67 of the *Weapons Act 1990*.



### Legal requirements for certain gel blasters:

*Applies to: Gel Blasters which may be mistaken for a firearm.*

- ▶ A person (of any age) must not, without reasonable excuse, possess or acquire a Restricted Item.
- ▶ The sale of certain gel blasters (or any Restricted Item) to minors is prohibited.
- ▶ A person who possesses a restricted item must, when the item is not in the person's physical possession, store it in a locked container.
- ▶ A person who possesses a restricted item must take reasonable precautions to ensure the item is not accessible to persons who are not lawfully entitled to possess the item.
- ▶ When possessing a Gel Blaster in a public place the item is to be carried in a way that is not visible to the public, so it will not cause alarm to any person.

There are further requirements for other items considered Restricted Items. Examples include handcuffs, nunchaku, kung-fu or similar sticks, batons, laser pointers, replica firearms and inoperable weapons. Further regulations apply to items classified as weapons.

Sellers are responsible for ensuring they are aware of their obligations for all products they sell. More information on gel blasters, restricted items and weapons is available on the Queensland Police Service website.

### Requirements for sellers of certain Gel Blasters

Gel Blasters which could be mistaken for a firearm are prohibited from being sold to minors.

Sellers should also implement all measures described previously in this Guide for Controlled-Secured items:

- ▶ Sellers should take all reasonable steps to verify a customer is not a minor. Unless you can reasonably assess that a person is over 18 years, you must sight appropriate identification which displays their age.
- ▶ A person is prohibited from falsely representing themselves as 18 years or older to buy a controlled item.
- ▶ Staff must be instructed and warned that it is illegal to sell a controlled or restricted item to a minor, with staff acknowledging this in writing.
- ▶ Sellers must display clearly visible signs advising that the sale of controlled items to minors is prohibited.
- ▶ Sellers must not suggest or promote item as suitable for combat or violence.
- ▶ Sellers must store restricted items, such as Gel Blasters, in a locked container prior to sale, and take reasonable precautions to ensure the item is not accessible to persons who are not lawfully entitled to possess the item.
- ▶ Sellers are encouraged to make buyers aware of the storage and carrying requirements of possessing a restricted item at time of purchase.

A weapons licence is not required for a gel blaster.



# Information and support for business.

The National Retail Association has been engaged by Queensland Police Service to assist businesses to understand and prepare for the new laws.

From May to October 2024, the National Retail team are delivering a range of support services for businesses, including a tollfree hotline, factsheets and signage, online webinars, and physical visits to thousands of stores in over 500 shopping centres and retail precincts across Queensland.

## Website

For more information, links to the legislation, signage and resources, visit:

[endknifeviolence.com.au](https://endknifeviolence.com.au)



## Online sessions

National Retail specialists are holding regular online webinars for businesses to receive an overview of the laws and ask questions.

Register at: <https://bit.ly/qldknifelaws>

## Contact us

Businesses can contact the National Retail Association for industry insight and advice.

Website: <https://bit.ly/knifelaws-nationalretail>

Email us: [policy@nationalretail.org.au](mailto:policy@nationalretail.org.au)

Call us: **1800 571 146** (tollfree business hotline)

Please note that this hotline is manned by the National Retail team during normal business hours (9am to 5pm Monday to Friday).

Queries about the regulations from the general public, media or community organisations should be directed to PoliceLink.

For emergencies, call Triple Zero (000).



## Business checklist

Have you:

- Assessed your range for impacted items, and clearly understood the requirements for each item?
- Considered whether you need to sell these items and removed any unnecessary ranges?
- Implemented processes and systems to ensure you, or your staff, do not sell to minors?
- Instructed your staff that they cannot sell to minors, their obligations to check ID and warned them of their potential liability?
- Received written acknowledgement from each staff member regarding their obligations?
- Installed signage about age restrictions at either each point-of-sale or where each item is displayed?
- Checked that controlled items are not promoted illegally as suitable for combat or violence?
- Ensured particular controlled items, such as axes, machetes, spears and swords, are securely stored (if you stock these)?
- Checked requirements for restricted items and weapons (if you stock these)?
- Accessed the business support services, such as the website, resources, hotline or webinars (if needed)?

[endknifeviolence.com.au](http://endknifeviolence.com.au)

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