

Mr Tibor Csapo  
President  
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22 April 2008

Hon. Judy Spence  
Minister for Police and Corrective Services  
PO Box 15195  
CITY EAST QLD 4002

**Also by email:** [police@ministerial.qld.gov.au](mailto:police@ministerial.qld.gov.au)

Dear Ms Spence,

**Re: Importation and possession of Transformers Masterpiece Megatron toy**

I am president of the Megatron Club Incorporated, an incorporated association in New South Wales. I am also a lawyer from Wollongong, New South Wales, and a moderator of Ozformers Transformers Collectors Australia.

I have recently successfully lobbied the New South Wales Minister for Police, Mr David Campbell, to provide a safe and legal way for serious Transformers action figure collectors to import and possess Masterpiece Megatron MP05 in New South Wales. The process can be found at [www.megatron.net.au](http://www.megatron.net.au), but I also attach a copy of a letter I received from the NSW Firearms Registry outlining the situation in New South Wales.

I am in contact with many Transformers Fans across Australia. Ozformers includes members from Queensland. I have been asked to represent them in contacting yourself on this issue.

The Megatron Club Incorporated was specifically created to provide for members to legally possess Masterpiece Megatron MP05 under the NSW legislation. Applicants for a permit to possess Masterpiece Megatron MP05 are required to:

- Provide a genuine reason for ownership of the toy;
- Provide proof of membership of a collector's club; and
- Abide by safe storage, surrender and disposal requirements.

*Transformers* are a popular series of action figures/toys which are action figure robots that turn into vehicles and other common objects. One of these is *Megatron*, the leader of the evil faction, who originally turned into a toy pistol. The toys were supported by a television show, comic books and now a live-action motion picture which screened in June 2007.

The toy line has continued for many years and has become very successful. The genius toymakers in Japan introduced a new line called "Masterpiece" series which revisited the original characters of the series and made them bigger and more detailed. This appealed to myself and other collectors of my vintage via the nostalgia of our youth.

Megatron is part of the Masterpiece series of figures, and it also turns into a toy pistol. The toy resembles a Walther P-38 pistol but is much larger than the actual weapon, so that the action figure/robot it turns into will sit well alongside the others in the line (which include a cab-over prime mover and fighter jet).

Being the charismatic, iconic evil leader of the enemy faction, acquiring it is the dream of many Australian collectors. The first of the "Masterpiece" series was *Optimus Prime* or *Convoy* (as it is known in Japan), the heroic leader of the good faction, known as Autobots. Having the two leaders is important for collectors.

Most of the members I represent have no interest in firearms and do not wish to acquire any, but simply wish to add a highly sought after figure to their collections.

As a lawyer I have undertaken a significant amount of training and am an officer of the Court, both in New South Wales and at a Federal level. I have sworn an oath and have had to prove I am a person of good character. I have since undertaken accreditation examinations in my area of law and am now a Law Society Accredited Specialist, which puts me in the top 10% of lawyers in New South Wales.

My fellow collectors are no different. They are simply normal people who enjoy a particular hobby.

I ask most sincerely that you consider adopting the New South Wales model to allow collectors to obtain a permit and legally import and possess this toy. Collectors have spent hundreds of dollars purchasing it for no other purpose but to include it in a collection.

I support gun control and laws that enforce it, but this is clearly a collector's item. The Megatron toy costs around \$150.00 on average so it is not a mass market item.

As per the New South Wales model, I would ask that the application fee for the permit be waived.

I am willing to discuss this further with you to consider other options.

Finally, I repeat my sincere request that you consider this matter and allow the controlled importing of this toy by genuine collectors in Queensland.

Yours faithfully,

Tibor Csapo

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Dear (collector)

I write in response to your representations regarding the seizure of transformers by the Australian Customs Service.

I understand Customs classified the item as a prohibited weapon (replica firearm), and thus a restricted import under the *Customs (Prohibited Imports) Regulations 1956*.

The Customs classification has meant that Australian jurisdictions are required to consider whether the item falls within the definition of prohibited weapon within their relevant legislation. In NSW, the *Weapons Prohibition Act 1998* clearly provides that a replica firearm is a prohibited weapon and a permit is required for its lawful ownership or use. The definition of replica firearm is as follows:

*Any imitation or replica of a **firearm** in respect of which a licence or permit is required under the [Firearms Act 1996](#) (including any imitation or replica pistol, blank fire pistol, shortened firearm, machine gun or sub-machine gun), unless it is of an approved type. (Item 3.2, Schedule of Prohibited Weapons)*

I can advise that the Forensic Ballistics Unit of the NSW Police Force has determined that the items do fall within the legislative definition of replica firearm and so must be classified accordingly.

Consequently, should you wish to possess this item in NSW, you will be required to apply for a prohibited weapons permit, pursuant to the *Weapons Prohibition Act 1998* (Weapons Act) and *Weapons Prohibition Regulation 1999* (Weapons Regulation).

In recognition that many people wanting to own a Megatron Transformer are interested in the item as a toy and not a replica firearm, as the Commissioner's delegate in weapons related matters, I will ensure that the regulatory requirements are simple and easily to comply with. Accordingly, I will exempt the fee for a permit pursuant to clause 36 of the Weapons Regulation.

However, applicants must still meet the stringent standards set out in the Weapons Act and Regulation in relation to criminal exclusions and other suitability criteria. This means if the applicant has been convicted of a prescribed offence (as set out in clause 5 of the Weapons Regulation) or the Commissioner is not satisfied that the applicant is a fit and

proper person and can be trusted to have possession of prohibited weapons without danger to public safety or to the peace, the application will be refused.

Applicants will be required to

- Provide a genuine reason for ownership of the toy;
- Provide proof of membership to a collector's club; and
- Abide by safe storage, surrender and disposal requirements.

Please contact the Firearms Registry on 1300 362 562 to find out more about applying for a permit.

Yours sincerely

*for* General Manager  
Firearms Registry