



Department of Justice

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Our Ref: CD/08/73048

Mr Tibor Csapo
President
Megatron Club Incorporated
PO Box 142
FIGTREE NSW 2525

Dear Mr Csapo

IMPORTATION AND POSSESSION OF MASTERPIECE MEGATRON MP05

Thank you for your correspondence dated 5 March 2008 addressed to the Minister for Police and Emergency Services. The Minister has requested that I respond on his behalf and I apologise for the delay in doing so.

I understand that the Takara Tomy Transformers Masterpiece Megatron MP-5 (the Masterpiece Megatron) has been classified by the Australian Customs Service as a prohibited weapon, being a replica handgun firearm, under the Customs (Prohibited Imports) Regulations 1956. This is because the Masterpiece Megatron is, in gun form, a representation of the Walther P-38 semi-automatic pistol. As a replica, it will be necessary for importers to obtain written authorisation from the police firearms or weapons authority of the State or Territory into which the importer seeks to bring the Masterpiece Megatron. As you are aware, the authorisation would be in the form of a B709A Importation of Firearms – Police Confirmation and Certification Form.

In relation to your request that Victorian collectors of the Takara Masterpiece series of Transformers figures be permitted to legally import and possess the Masterpiece Megatron, I have sought the advice of the Licensing Services Division (LSD) of Victoria Police. I am advised that LSD has determined that the Masterpiece Megatron is an imitation handgun and that persons wishing to possess the item in Victoria must obtain a category 2 firearms collectors licence under section 21A of the *Firearms Act 1996* (the Act) and must comply with all relevant requirements under the Act.

An applicant for a category 2 firearms collectors licence must satisfy particular criteria, including that they must:

- Demonstrate that the handguns collected will be of obvious and significant commemorative, historical or thematic value;
- Have held a category 1 firearms collectors licence for a period of at least 2 years;
- Be a member of an approved firearms collectors club (and have been a member for at least 6 months), a nominated officer of which has endorsed the application, on behalf of the club;

- Possess more than 10 handguns manufactured before 1 January 1947, and the addition of handguns manufactured before 1 January 1947 will increase the historical value and significance of the collection; and
- Demonstrate that the proposed increase in the collection is safe in all the circumstances.

The Chief Commissioner of Police must refuse to issue a firearms collectors licence to an applicant in certain circumstances, including if the applicant is under 18 years of age, if the applicant, and all responsible persons in relation to the applicant, are not fit and proper persons, if the applicant cannot possess or carry a firearm without being a danger to public safety or peace and if the applicant cannot comply with the firearm storage requirements set out in the Act.

In addition, the Masterpiece Megatron must be acquired from a licensed firearms dealer or from the holder of a firearms collectors licence and through the agency of a licensed firearms dealer. There are other requirements that would apply to the possession of the Masterpiece Megatron in Victoria including the registration of certain information, including make, type, calibre, action and serial number of the item.

I would encourage any person seeking to import and possess the Masterpiece Megatron in Victoria to acquaint themselves with all of the applicable requirements under the Act and to seek any further guidance from LSD by contacting 1300 651 645.

I trust this information is of assistance and thank you for bringing your concerns to the Government's attention.

Yours sincerely



KELVIN ANDERSON
Acting Executive Director
Police, Emergency Services & Corrections