



**SOUTH AUSTRALIA POLICE**  
**SAFER COMMUNITIES**

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Premier's Deliver Unit  
State Government of South Australia

By email: [submission.PDU@sa.gov.au](mailto:submission.PDU@sa.gov.au)

Dear Sir/Madam

Thank you for providing South Australia Police (SAPOL) an opportunity to make a written submission to the South Australian Government's *Review of Gel Blaster Regulation*. Please find the submissions addressing the Terms of Reference for the review.

*The appropriateness and effectiveness of the current legislative and regulatory approach in ensuring public safety outcomes*

In SAPOL's view, the current legislative and regulatory approach in regulating the trade, possession and use of gel blasters is appropriate and effective.

A gel blaster fires a hydrated gel polymer, and the firing mechanism is similar to an airsoft firearm (compresses air to fire a projectile); therefore, gel blaster meets the threshold test to be defined as a firearm. A gel blaster can easily be mistaken for a real firearm, with potential to cause concern in the community and trigger a police response that could involve use of police firearms or other tactical options.

In April 2021, a variation to *Firearms Regulations 2017* was made after comprehensive research and public consultation. The variation categorised gel blaster as category A firearm and grouped them with paintball firearms, which are also used in similar 'skirmish type' activity at approved venues.

The variation enabled the application of the most basic licencing, regulation and storage aspects contained in the *Firearms Act 2015*. It prevented the possession of gel blasters by persons not meeting the fitness and propriety threshold. The variation



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enabled and formalised the continuation of the gel blaster firearm industry, whilst ensuring public safety.

As at 31 March 2023, there were a total of 61,561 category A firearms licences in South Australia. All category A licences can possess gel blasters, as long as their purpose of use is justified as category 4 (paint-ball shooting). Of the total category A licences, 24,618 licences are already endorsed category 4, allowing them to possess and use gel blaster firearms. The licence holders without category 4 endorsements can seek approval to possess and use gel blaster firearms by simply applying to vary their licence to add a category 4 purpose of use.

SAPOL system shows that over 3,000 gel blaster firearms are registered with the licence holders. Currently, one dealer is approved to operate exclusively for the sale of gel blaster firearms; however, a large number of firearms dealers have a category A licence. They could also lawfully trade in gel blaster firearms, if they chose to. It is evident that there are provisions within the current legislation for a licenced person to possess or trade in gel blasters, if they wished to.

To evaluate effectiveness in ensuring public safety, SAPOL systems do not provide specific statistics for gel blaster offences. The manual search of the systems is extremely time consuming and labour intensive. However, SAPOL has conducted manual data analysis of a small sample, which shows a relatively large number of seizures of gel blaster firearms in a small period. The analysis identified an alarming trend of several gel blaster seizures linked with other offences, such as cultivating or trafficking controlled drugs and offences of threats of violence.

Anecdotal evidence suggests since the implementation of the variation, there has been a decrease in the number of calls by members of the public alarmed by another person's use or possession of gel blaster in public places.

The existing legislation has also enabled the surrender of gel blaster firearms under the ongoing general amnesty provisions contained within the Firearms Act 2015 - consistent with all types of firearms. On 31 December 2022, over 4,200 gel blasters had been surrendered under the amnesty provisions.

### *Any opportunities to streamline or strengthen the current regulatory framework for gel blasters in South Australia*

The current regulatory framework for gel blasters in South Australia is appropriate.

The current legislation in South Australia is consistent with all other jurisdictions in Australia, other than Queensland. The regulation or prohibition of gel blaster firearms was already in existence in most jurisdictions well before they were made in South Australia. Until the Regulatory variations, our State was considered by the other regulated jurisdictions as a 'soft border' for importing gel blasters, undermining the jurisdictions where possession was completely prohibited or regulated. This perception is no longer held.

A snap shot of gel blaster firearm legislation in other jurisdictions is as follows:



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| State or Territory | Legal to Use or Possess without licence or authorisation? | Current Legislative Control/s   |
|--------------------|---|---|
| ACT                | No  | An airgun or prohibited firearm under the <i>Firearms Act 1996</i> .  |
| NSW                | No  | An airgun or prohibited firearm under the <i>Firearms Act 1996</i> .  |
| VIC                | No  | A firearm under the <i>Firearms Act 1996</i> .  |
| QLD                | Yes   | Gel blasters currently not subject to the <i>Weapons Act 1990</i> , therefore no licence or registration is required to use or possess.   |
| SA                 | No  | A firearm under the <i>Firearms Act 2015</i> (as of 15 April 2021)  |
| WA                 | No  | A firearm under the <i>Firearms Act 1973</i> .  |
| TAS                | No  | The possession and use of soft air firearms (including gel blasters) in Tasmania is prohibited. Whilst the firearm itself would be classified as an air rifle (Category A), there is no genuine reason for the use or possession in Tasmania. |
| NT                 | No  | An airgun or prohibited firearm under the <i>Firearms Act 1997</i> .  |

I am advised that Queensland Police is now considering legislation to regulate use and possession of gel blasters to bring them in line with other States and territory jurisdictions. Moreover, the Commonwealth Attorney-General's Department is in the process of refining the control for importing gel blasters. They are finalising a public consultation paper on import controls of gel blaster firearms as well as skirmish markers, soft air firearms, and paintball markers.

*Any opportunities to streamline or strengthen the current enforcement and licensing regime for gel blasters in South Australia*

Police authorities applicable to gel blaster firearms are under the Firearms Act 2015, and are the same as applicable to all firearms; namely, search and seizure based on suspicions of offences or regulatory compliance inspections. SAPOL is satisfied that the existing authorities are adequate to ensure community safety.

In conclusion, the current South Australian legislation for the possession and use of gel blasters is appropriate and in line with most other jurisdictions (except Queensland). In light of recent national events involving firearms, any variation to make easier access or relax the current storage requirements for gel blasters is not supported.

For any further enquiries, please contact Detective Superintendent Amit Sareen on 7322 3400 or [amit.sareen@police.sa.gov.au](mailto:amit.sareen@police.sa.gov.au).

Yours Sincerely



Grant Stevens APM LEM  
**COMMISSIONER OF POLICE**