



Newcastle Astronomical Society

N.A.S. Laser Use Policy

There is absolutely no excuse or defence for the act of deliberately aiming a laser pointer, of any power, at any aircraft, vehicle or person and the Newcastle Astronomical Society condemns such actions without reservation.

We earnestly commit ourselves, as a Society and as individuals, to the practice that while conducting private astronomical observations and public displays we will never, ever, under any circumstances, aim our laser pointers at or anywhere near the vicinity of any passing aircraft.

We encourage members to keep their laser pointers securely locked up when not in use and we will always insist that members comply with the law.

NSW Summary Offences Act

Laser pointers are classed as "dangerous implements" and a person must not, without reasonable excuse, use or have custody of a laser pointer in a public place.

Laser pointers are defined as a "hand-held battery-operated device". There is no distinction in this Act regarding colour/frequency nor is there any minimum output power.

It is a "reasonable excuse" for a person to use or have custody of a laser pointer for the lawful pursuit of the person's occupation, education, training or hobby.

NSW Weapons Prohibition Regulations

Individuals who wish to obtain or continue to possess battery operated hand-held laser pointers of more than 1 milliwatt are required to apply for a Prohibited Weapons Permit and will be "subject to criminal and probity checks". The permit fee is \$127.00.

A person who has been a member of an approved Astronomical Society for more than three months will not be required to obtain a permit for astronomical use but may be asked to prove membership of the Society.

If you possess a laser pointer but your membership of Newcastle Astronomical Society then lapses, you may be in breach of the law and you are advised to obtain a permit or surrender the device.

Federal Regulation

The Federal Government has banned the importation of laser pointers into Australia. Anyone seeking to import a laser pointer stronger than 1milliwatt must possess an appropriate exemption, which will work in the same way as for other restricted goods. The import ban allows legitimate users (including astronomers) to apply for an exemption from the ban.

Importers will need to obtain police authorisation and an import permit, so if you buy one over the internet or by mail order you will need the relevant authorisation, which needs to be obtained first from the NSW Police Firearms Registry and then from Australian Customs.

NAS Response

To assist members, Newcastle Astronomical Society has:

- (a) applied for and received registration by the NSW police force as an 'approved astronomical society' - so that members do not have to make individual applications to the police for permits.
- (b) decided to introduce membership identity cards next year - to provide enhanced evidence of membership.
- (c) created a voluntary register of members who own laser pointers - to assist all parties in the event of a problem. Members may fill out as little or as much detail as they want. It is not a requirement of the new legislation but we firmly believe it is reasonable and responsible for the Society to keep such a register and that it is in your best interests to register your laser pointer details with the Society.
- (d) Written to local police, broadly informing them of our member's use of laser pointers within their jurisdiction.

NB

1. The maximum penalties for individuals contravening any state or commonwealth laser pointer laws are extremely severe.
2. Registration of NAS by NSW Police exempts members from the legal requirement to apply for (and pay for) a NSW Prohibited Weapon Permit to own a laser pointer but it does not:
 - apply to laser pointer use for any purpose other than astronomical use.
 - exempt members from having to provide a "reasonable excuse" for possession of a laser pointer in a public place.
 - relieve members from the procedures required to be carried out for importing a laser pointer.
 - apply outside NSW.
3. Local police have requested us to suggest members contact them in advance to advise of the use of laser pointers. This is not a requirement of the legislation.

