

prohibited person means—

- (a) a person who is serving a term of imprisonment for—
- (i) an indictable offence; or
 - (ii) an assault; or
 - (iii) an offence under the **Drugs, Poisons and Controlled Substances Act 1981**; or
 - (iiia) an offence under the **Control of Weapons Act 1990**—
- or, in relation to a person—
- (iv) not more than 15 years have expired since the person finished serving a term of imprisonment of 5 years or more for such an offence; or
 - (v) not more than 5 years have expired since the person finished serving a term of imprisonment of less than 5 years for such an offence; or
- (b) a person who is serving a term of imprisonment in another State or a Territory for an offence of a corresponding nature to an offence listed in paragraph (a) or in relation to a person—
- (i) not more than 15 years have expired since the person finished serving a term of imprisonment in another State or a Territory of 5 years or more for such an offence; or

S. 3(1) def. of *prohibited person* amended by Nos 84/1997 s. 42(b), 22/1998 s. 4(f), 30/1999 s. 30, 28/2003 s. 3(1)(i), 50/2007 s. 3(1)(g), 52/2008 s. 245, 68/2008 s. 70, 53/2010 s. 221(Sch. item 5.1), 65/2011 s. 107(Sch. items 6.1, 6.2) (as amended by No. 43/2012 s. 3(Sch. item 47.4)), 55/2014 s. 87(1).

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- (ii) or not more than 5 years have expired since that person finished serving a term of imprisonment in another State or a Territory of less than 5 years for such an offence;
or
- (ba) a person—
- (i) who is serving a term of imprisonment for an offence under section 321 or 321A of the **Crimes Act 1958**; or
- (ii) in relation to whom, not more than 10 years have expired since the person finished serving a term of imprisonment for an offence specified in subparagraph (i); or
- (bb) a person—
- (i) who is serving a term of imprisonment in another State or a Territory of the Commonwealth for an offence of a corresponding nature to an offence specified in paragraph (ba)(i); or
- (ii) in relation to whom, not more than 10 years have expired since the person finished serving a term of imprisonment in another State or a Territory of the Commonwealth for an offence specified in paragraph (ba)(i); or
- (c) a person who is subject to—
- (i) a final order under the **Family Violence Protection Act 2008** that does not include conditions cancelling or revoking a licence, permit or authority under this Act,

or an order of a corresponding nature made in another State or a Territory; or

- (ia) a final order under the **Family Violence Protection Act 2008** that does include conditions cancelling or revoking a licence, permit or authority under this Act, or an order of a corresponding nature made in another State or a Territory; or
- (ib) a final order under the **Personal Safety Intervention Orders Act 2010** that does not cancel or suspend a licence, permit or authority under this Act, or an order of a corresponding nature made in another State or a Territory; or
- (ic) a final order under the **Personal Safety Intervention Orders Act 2010** that does cancel or suspend a licence, permit or authority under this Act, or an order of a corresponding nature made in another State or a Territory; or
- (ii) an old community-based order, within the meaning of clause 1 of Schedule 3 to the **Sentencing Act 1991**; or
- (iia) a community correction order, within the meaning of the **Sentencing Act 1991**, that has a supervision condition attached under section 48E of the **Sentencing Act 1991**; or

(iii) a supervision order under section 26 of the **Crimes (Mental Impairment and Unfitness to be Tried) Act 1997**—

or, in relation to a person, not more than 5 years have expired since the person was subject to such an order; or

(ca) a declared individual within the meaning of the **Criminal Organisations Control Act 2012**; or

(cb) a person to whom a control order (within the meaning of the **Criminal Organisations Control Act 2012**) applies; or

(d) a person, in relation to whom, not more than 12 months have expired since that person was found guilty by a court, whether in Victoria or in another State or a Territory, of—

(i) an offence against this Act, in relation to which it was open to the court to impose a term of imprisonment; or

(ii) an offence against any other Act involving the possession or use of firearms and in relation to which it was open to the court to impose a term of imprisonment; or

(iii) an indictable offence—

and who is not, by virtue of the operation of any other paragraph of this definition, a prohibited person; or

(e) any person who is of a prescribed class of persons;

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