



ARMS ACT REWRITE GUIDANCE DOCUMENT

COLFO has produced this document to assist you and your organisation in submitting on the Arms Act Rewrite. This is a once in a lifetime opportunity to shape, and fix, our firearms legislation. Particularly in the last five years, the Arms Act has become a complex, unworkable political statement. During that time illegal firearm use has risen.

It is very important that you submit. As part of the firearms community, you are the experts on how the laws currently operate and the problems it creates. But we know this it is a big consultation, so to help:

1. You can find the original consultation materials here <https://consultations.justice.govt.nz/policy/public-consultation-on-the-arms-act-rewrite/consultation/>
2. Alternatively, you can use the Ministry of Justice's online form available here <https://consultations.justice.govt.nz/policy/public-consultation-on-the-arms-act-rewrite/consultation/>
3. If you use the Word documents, COLFO has provided, you need to email the completed documents to firearms@justice.govt.nz

You do not need to submit on every question. Please focus on the questions you feel strongly about or have technical expertise. It is better to get a submission in with some questions answered, than no submission at all.

SUBMISSIONS CLOSE AT MIDNIGHT ON 28 FEBRUARY 2025

The following guidance table provides background on the questions asked, the relevant law and suggested points to consider.

To skip to the part of the guidance document where you need help, click on the relevant part of the Contents below – it will take you there.

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Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
Theme 1: Purpose of regulating firearms access, possession, and use	<p>1A Purposes of this Act</p> <p>(1) The purposes of this Act are to—</p> <p>(a) promote the safe possession and use of firearms and other weapons; and</p> <p>(b) impose controls on the possession and use of firearms and other weapons.</p> <p>(2) The regulatory regime established by this Act to achieve those purposes reflects the following principles:</p> <p>(a) that the possession and use of arms is a privilege; and</p> <p>(b) that persons authorised to import, manufacture, supply, sell, possess, or use arms have a responsibility to act in the interests of personal and public safety.</p>	<p><i>Purpose section of the Act</i></p> <p>What should the main principles and purposes of the Act be?</p> <p>Are there any additional considerations that should be included?</p>	<p>Background:</p> <ul style="list-style-type: none"> - The Purpose in an Act is important. If there is ambiguity in other parts of the Act, the courts will look to the Purpose to guide them on how to apply the law. It is therefore important that the Purpose reflects how you think the firearms regulation should be defined. - Part of the changes in the last few years was to make it clear that use of firearms is a <i>privilege</i>. - One of the concerns raised with s2(b) is that it creates a duty that dealers could be held responsible for dangerous use of their firearms (similar to the USA cases of gun manufacturers being sued for use of their firearms in school shootings). There is a very low chance of such a duty being established here. We can provide further background on this is you would like. <p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - This is an opportunity to remove “weapons” from the Act. This word has a lot of negative and emotive connotations and many people then view the Arms Act as dealing with a ‘bad’ thing. - The Arms Act regime should be about regulating the legal use of firearms. The Crimes Act is where it is appropriate to deal with illegal use of firearms. - The Arms Act should promote <i>and enable</i> the safe use of firearms. - “Fit and Proper” is key to the system. Only people that have met this threshold should be allowed unrestricted access to firearms, and in turn once you have met this threshold, a person should not have to jump through additional bureaucratic hoops to get that unrestricted access.
Theme 2: Products controlled by the Act	<p>Product definitions: Part 1 of the Arms Act</p> <p>S2 Interpretation</p> <p>firearm—</p> <p>(a) means anything from which any shot, bullet, missile, or other projectile can be discharged by force of explosive; and includes—</p> <p>(i) anything that has been adapted so that it can be used to discharge a shot, bullet, missile, or other projectile by force of explosive; and</p> <p>(ii) anything which is not for the time being capable of discharging any shot, bullet, missile, or other projectile but which, by its completion or the replacement of any component part or parts or the correction or repair of any defect or defects, would be a firearm within the meaning of paragraph (a) or subparagraph (i); and</p>	<p><i>Definition of a firearm</i></p> <p>Does the Act define “firearm” well?</p>	<p>Background</p> <ul style="list-style-type: none"> - <p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - are there items that you think should be covered by this definition but are not? For example, should an airgun be classified as an firearm (not just “specially dangerous airguns” - are there items caught by this definition that shouldn’t be? In your interactions with Police or the Firearms Authority was there any confusion about whether specific items were a firearm or not? It is really useful to include examples. - The definitions of terms used in an Act should always appear in the interpretation section to assist navigation the legislation. -

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	<p>(iii) anything (being a firearm within the meaning of paragraph (a) or subparagraph (i)) which is for the time being dismantled or partially dismantled; and</p> <p>(iv) any specially dangerous airgun</p> <p>22B Restriction on possession of ammunition</p> <p>(1) A person must not have in their possession any ammunition (other than projectiles for airguns) unless the person—</p> <p>(a) is the holder of a firearms licence; or</p> <p>(b) is not the holder of a firearms licence, but is under the immediate supervision of a person who is the holder of a firearms licence; or</p> <p>(c) is an employee of an ammunition seller who is performing their duties at their place of work under the supervision of a person who is the holder of a firearms licence.</p> <p>(2) A person commits an offence and is liable on conviction to a fine not exceeding \$10,000 if the person, without reasonable excuse, contravenes subsection (1).</p>	<p><i>Control of products based on risk</i></p> <p>Is the focus on regulating firearms (and associated products) based on the risk profile of each product and appropriate approach to the maintenance of public safety?</p> <p>Do you have any other comments on a risk-based approach?</p>	<p>Background</p> <ul style="list-style-type: none"> - The Act and Regulations do not define a test for ‘risk’ nor does the Consultation Document set out what they think is a risk - The question’s use of “maintenance of public safety” indicates that they could think that the wider risk of illegal firearm use should be taken into consideration. For example, a firearm should not be deemed a ‘higher risk’ just because it is favoured by a particular gang. - There is a danger that the government will blur the line between legal and illegal use when defining the risk. - In 2019, COLFO supported restrictions on high-capacity magazines as these are a higher risk items. However, the restrictions imposed were not practical or cost effective. <p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - Support a risk-based approach and suggest the type of risk that should be taken into account (For example, an antique arm that is difficult to find appropriate ammunition for and use, should be a lower risk) - Be clear about what, where or who you are associating risk with and how it should be managed. Be clear about where and who that risk should be managed. In the Cost Recovery Consultation the government carried out in 2022, the government suggested that LFOs should carry and therefore pay the cost of Police attending a burglary at a LFO’s home. This is not the correct apportionment of risk. - A good example of a non-risk approach is ammunition. In 2020, possession of ammunition without a licence became an offence. Ammunition itself has little danger. Therefore, it shouldn’t be illegal to possess it but a risk-based approach is that, if a non-licensed person possessed a firearm, this would be an aggravating factor for sentencing. Additionally, it may be appropriate for LFOs to be required to have safe storage for ammunition. - Risk cannot be the only consideration. The intended restrictions must be practical and cost effective. If they are not, it will incentivise illegal use.
		<p>List of controlled products</p> <p>What product definitions outlined in Appendix 5 [of the discussion document] do you think need to be reviewed and what changes can you recommend?</p>	<p>Background</p> <ul style="list-style-type: none"> - The definition groups (prohibition, restricted, pistols) create confusion and have developed through ad hoc additions to the Act.

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			<p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - A significant issue for any item “controlled” by the Act is that possession by an unlicensed person becomes an issue. COLFO suggests therefore that the definition of “possession” is provided in the Act. The definition should focus on “unrestricted access”. Under the current Act, an unlicensed (firearms) driver breaches the Act if their LFO passenger has appropriately secured the firearm in the boot. - Any new items to be included in the Act, should be made in legislation (that has to go before Parliament) rather than regulation (that only needs to be signed off by Cabinet). If an item becomes within the scope of the Act, a person can commit a criminal offence. Adding a new type of offence should only be made by Parliament. - Suggest that a simpler system (that would better reflect the risk of these items) would be to have “standard” firearms and “controlled” firearms. A person is either “fit and proper” to possess a higher risk item or they are not. All Controlled firearms could require a reason for possession (i.e. pest control) and appropriate security storage for those items. This should carry through to firearm items (i.e. magazines)
	<p>59A Surrender by licensed dealer of firearms, etc</p> <p>(1) A licensed dealer does not contravene section 10 if, on obtaining possession of any of the following items from any person, the licensed dealer surrenders the item within 5 working days to the nearest Police station for inspection and inquiries:</p> <ul style="list-style-type: none"> (a) a pistol: (b) a pistol carbine conversion kit: (c) a restricted weapon: (d) a prohibited item. <p>(2) A licensed dealer does not contravene section 12 if the licensed dealer does not record the particulars of any of the following items that is received by that dealer and, within 5 working days, surrenders the item to the nearest Police station for inspection and inquiries:</p> <ul style="list-style-type: none"> (a) a firearm: (b) an airgun: (c) a pistol: (d) a pistol carbine conversion kit: (e) a prohibited item: (f) a restricted weapon. <p>59B Voluntary delivery to Police of firearms, etc</p> <p>(1) If any arms item or ammunition is delivered to the Police by a person who is not authorised to be in possession of the item or ammunition, it is affirmed that the Police have the discretion not to prosecute in any case where—</p>	<p><i>Firearms amnesty and buy-back provisions</i></p> <p>Should there be options to support people to surrender, dispose or modify firearm products that the licence holder can no longer legally use? If so, what should these be?</p>	<p>Background</p> <ul style="list-style-type: none"> - The current Arms Act does not have a ‘standing’ regime for when new items are deemed illegal, or unable to be possessed by a standard licence. The 2019 and 2020 buybacks were created by legislation (but they are no longer valid) - Compensation is not required for an item surrendered to Police - If a person has an item they cannot legally possess (i.e. they do not have an endorsement for the prohibited firearm they found in granddad’s attic), the only option is to surrender the item to Police (directly or through a dealer) - The Act should create incentives for people to bring their firearms within the scope of the Act, either through surrender or modification <p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - The Act should create incentives for people to bring their firearms within the scope of the Act, either through surrender or modification. - This will reduce the number of firearms entering the grey and black market. - These incentives should include compensation, ability for modification, ability to store items with appropriately licensed person while a licence application is made, certainty of how Police will treat items (i.e. store for a certain period before destroying), allowing transfer to a dealer, and protection for rare or protected items.

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	<p>(a) the offence is considered to be one of possession only; and</p> <p>(b) there is no public interest in proceeding with the prosecution.</p> <p>(2) See also Parts 1 and 2 of Schedule 1 (which contain amnesty provisions).</p>		<ul style="list-style-type: none"> - The Act should be future proofed with a scheme for large scale surrenders (following law changes) that has a requirement to provide market value compensation for firearms and related items (i.e. when ammunition was prohibited but not included in the compensation).
Theme 3: Responsible possession and use	<p>25 Duration of firearms licence</p> <p>(1) A firearms licence comes into force on the date specified in the licence and, unless revoked or surrendered earlier,—</p> <p>(a) expires 5 years from that date in the case of—</p> <p>(i) a licence issued to a person who has never previously held a firearms licence; or</p> <p>(ii) a licence issued to a person whose previous licence was revoked or surrendered; or</p> <p>(iii) a licence issued to a person who allowed their previous licence to expire without applying for a new licence before the expiry date:</p> <p>(b) expires 10 years from that date in any other case.</p> <p>(2) Despite subsection (1), if a licence is granted to a person who states in the application form for the licence that he or she is a visitor, the licence may be granted subject to a condition that it expires 1 year from the date of issue or expires on any earlier date specified in the licence.</p> <p>(3) If a licence has been granted subject to a condition referred to in subsection (2), the licence expires on the date of expiry referred to or specified in the licence,</p>	<p><i>Licence issue period</i></p> <p>What are your views on the length of time a firearms licence is issued for?</p> <p>Do you have any other comments on firearms licences?</p>	<p>Background</p> <ul style="list-style-type: none"> - In 2020, the duration of first-time licences was reduced from 10 to 5 years. COLFO previously submitted that they saw no evidence for the reduction in licence duration (from 10 to 5 years). - There are other ways to manage risks of long licences, for example more frequent security checks for higher risk items or large collections. <p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - There needs to be a better alignment of licences and endorsements (if that system continues). Currently the endorsement expires at the same time as the licence, even if it was recently granted. If the licence was granted within a certain period, there should be a grace period. - Alternatively, should there be provisions allowing the 10-year licence period to restart (for all licence classes) where the new endorsement is approved (and without additional fees)?
	<p>22H Persons disqualified from holding firearms licence</p> <p>A person is disqualified from holding a firearms licence if—</p> <p>(a) the person has, within the previous 10 years, been convicted, or been released from custody after being convicted, of any of the following offences:</p> <p>(i) an offence under section 16(4), 16A, 44A, 50A, 50D, 51A, 53A, 54, 54A, 55, 55A, 55D, 55E, or 55F;</p> <p>(ii) a specified violent offence as defined in section 4 of the Victims’ Orders Against Violent Offenders Act 2014:</p> <p>(iii) an offence under section 92, 98, 98A, 189A, 199, 202C, 238, 267(1), 269(1) and (3), 306, or 308A of the Crimes Act 1961:</p> <p>(iv) an offence under section 6, 9, 10, 11, 12, 12A, 12AB, or 12F of the Misuse of Drugs Act 1975; or</p> <p>(b) the person has, or has had within the previous 10 years, a protection order, other than a temporary order, made against them under—</p> <p>(i) section 79 of the Family Violence Act 2018; or</p> <p>(ii) section 14 of the Domestic Violence Act 1995; or</p> <p>(c) the person is subject to a firearms prohibition order.</p>	<p><i>Fit and proper person test - LFO</i></p> <p>What are your views on the fit and proper person test?</p>	<p>Background</p> <ul style="list-style-type: none"> - The fit and proper test is core to a safe firearms regime but currently is an ad hoc list of personal and security factors. Many of them are undefined. - COLFO does not support making the fit and proper test easier (or a lower threshold to meet) but there should be less discretion for the Police (or firearms authority). <p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - Fit and proper should focus on aspects of the person. Criteria such as appropriate secure storage should be a condition of licence but should not be a prerequisite for meeting the fit and proper test. - The “and other matters” factor should be removed. This allows too much discretion for Police or the firearms authority, and has allowed them to take into consideration things like non-mainstream political views. If there are other matters that are not already reflected in the list, they should be spelled out – for example, in cases where there are pending charge.

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	<p>24A Fit and proper person to possess firearm or airgun</p> <p>(1) For the purposes of this Act, a member of the Police may find a person is not a fit and proper person to be in possession of a firearm or an airgun if the member of the Police is satisfied that 1 or more of the following circumstances exist:</p> <p>(a) (a) the person is charged with or has been convicted of an offence in New Zealand or overseas that is punishable by a term of imprisonment (including, but not limited to, an offence involving violence, drugs, or alcohol):</p> <p>(b) the person is charged with or has been convicted of an offence under this Act:</p> <p>(c) the person is charged with or has been convicted of an offence against—</p> <p>(i) section 231A of the Crimes Act 1961; or</p> <p>(ii) (ii) the Game Animal Council Act 2013; or</p> <p>(iii) (iii) the Wildlife Act 1953; or</p> <p>(iv) (iv) the Wild Animal Control Act 1977:</p> <p>(ca) the person has, or has had at any time, a firearms prohibition order made against them:</p> <p>(d) the person has, or has had at any time, a temporary protection order made against them under—</p> <p>(i) section 79 of the Family Violence Act 2018; or</p> <p>(ii) section 14 of the Domestic Violence Act 1995:</p> <p>(e) the person has inflicted, or is inflicting, family violence against another person and that other person has grounds under the Family Violence Act 2018 to apply for a protection order in respect of that violence:</p> <p>(f) the person has, or has had at any time, a restraining order made against them under the Harassment Act 1997:</p> <p>(g) the person has engaged in any conduct involving non-compliance with any requirements of—</p> <p>(i) this Act; or</p> <p>(ii) any regulations made under this Act; or</p> <p>(iii) any conditions to which a permit, licence, or endorsement previously issued to the person under this Act was subject:</p> <p>(h) the person shows, or has recently shown, symptoms of a mental or physical illness or injury that may adversely affect their ability to safely possess firearms:</p> <p>(i) the person abuses alcohol, or is dependent on alcohol, to an extent that affects detrimentally their judgement or behaviour:</p> <p>(j) the person uses drugs (illegal or legal) in a way that affects detrimentally their judgement or behaviour:</p>		<ul style="list-style-type: none"> - Strongly support that certain crimes should preclude someone getting a licence but the ability to preclude “is charged with” needs to be narrowed. Understand the need to not allow someone to get a licence whilst they are waiting on a hearing for a precluded crime, however it should not capture people who have been charged but not convicted. - Similarly the requirement on temporary protection orders needs to be narrowed. TPO do not allow for a person to present information in defence, therefore can be granted if not needed. May be justified with a suspension, the process should be subject to appeal and transparent. - Mental health is an important criteria however there needs to be better information about how past mental ill-health will be treated. This criteria can discourage people from coming within the legal regime. - The fit and proper test is central to a safe regime therefore it should be able to be added to by regulation (see s 74(1)(bb) and 24A(1)(n)). - All vetting interviews should be conducted face to face by properly trained vetting staff.

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	<p>(k) the person is a member of, or has close affiliations with, a gang or an organised criminal group:</p> <p>(l) the person has shown patterns of behaviour demonstrating a tendency to exhibit, encourage, or promote violence, hatred, or extremism:</p> <p>(m) the person has been assessed as a risk to a State’s national security:</p> <p>(n) the person satisfies any criteria prescribed in regulations made under section 74(1)(bb).</p> <p>(2) In determining whether, for the purposes of this Act, a person is a fit and proper person to be in possession of a firearm or an airgun, the member of the Police may take into account—</p> <p>(a) whether the applicant—</p> <p>(i) has a sound knowledge of the safe possession and use of firearms:</p> <p>(ii) understands the legal obligations of a holder of a firearms licence, including the endorsements that may be made on a firearms licence; and</p> <p>(b) any other criteria prescribed in regulations made under section 74(1)(bc); and</p> <p>(c) any other relevant matters the member of the Police considers appropriate.</p> <p>(3) The member of the Police may, for the purpose of determining whether a person is a fit and proper person to be in possession of a firearm or an airgun,—</p> <p>(a) seek and receive any information that the member of the Police thinks appropriate; and</p> <p>(b) consider information obtained from any source.</p> <p>(4) If the member of the Police proposes to take into account any information that is or may be prejudicial to an applicant’s application, the member of the Police must, subject to subsection (5), disclose that information to the applicant and give the applicant a reasonable opportunity to refute or comment on it.</p> <p>(5) Nothing in subsection (4) requires the member of the Police to disclose any information to an applicant if that disclosure would be likely to—</p> <p>(a) endanger the safety of any person; or</p> <p>(b) prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand; or</p> <p>(c) prejudice the entrusting of information to the Police, the New Zealand Security Intelligence Service, or the Government Communications Security Bureau on a basis of confidence by—</p> <p>(i) the government of any other country; or</p> <p>(ii) any international organisation.</p>		
	<p>14 Applicant for firearms licence must undergo course of training and pass tests</p> <p>Every applicant for a firearms licence shall, unless a commissioned officer of Police otherwise directs,—</p>	<p><i>What are your views on the minimum age?</i></p> <p><i>Do you have any other comments on the fit and proper person test?</i></p>	<p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - If young people show an interest in firearm activities, they should be encouraged to come within the legal firearms regime early. Like driving, this means they are more likely to stay within the licence regime for life.

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	<p>(a) undergo a course of training which is conducted by a member of the Police or a person approved for the purpose by a member of the Police and which is designed to teach the applicant to handle firearms safely; and</p> <p>(b) pass such tests as may be required to determine the applicant’s ability to handle firearms safely (being tests conducted by a member of the Police or a person approved for the purpose by a member of the Police).</p> <p>23 Application for firearms licence</p> <p>(1) A person may apply to a member of the Police for a firearms licence if the person—</p> <p>(a) is of or over the age of 16 years; and</p> <p>(b) has not had a firearms licence revoked in the previous 5 years (or, if they have, the revocation was reversed by the District Court); and</p> <p>(c) is not disqualified under section 22H from holding a firearms licence.</p> <p>(2) Every application under subsection (1) shall be made on a form provided by a member of the Police.</p> <p>(2A) An applicant must, at the time of making an application for a firearms licence, provide to a member of the Police the name and contact details of their health practitioner.</p> <p>(2B) Subsection (2A) does not apply to an applicant who is a visitor.</p> <p>(3) A person who is the holder of a firearms licence may, before the expiration of that firearms licence, apply for a new firearms licence.</p> <p>24 Issue of firearms licence</p> <p>(1) Subject to subsection (2), a firearms licence must be issued by a member of the Police to an applicant if the member of the Police is satisfied that—</p> <p>(a) the applicant—</p> <p>(i) is of or over the age of 16 years; and</p> <p>(ii) is a fit and proper person to be in possession of a firearm or an airgun; and</p> <p>(b) either—</p> <p>(i) the applicant’s storage facilities for their firearms and ammunition have been inspected by a member of the Police and are compliant with the requirements for the secure storage of firearms and ammunition; or</p> <p>(ii) if the applicant is a visitor, a member of the Police is satisfied with the arrangements made by the applicant for the storage of the firearms and ammunition they will possess while in New Zealand.</p> <p>(2) A firearms licence must not be issued to an applicant if, in the opinion of a commissioned officer of Police, access to any firearm or an airgun in possession of the applicant is reasonably likely to be obtained by any person who—</p> <p>(a) is disqualified from holding a firearms licence; or</p>	<p>(note that this is a ‘double up’ question and has been asked in the previous block of questions)</p>	<ul style="list-style-type: none"> - The Act should provide for a graduated, under supervision, system to allow for this. - The firearms safety course should also be available in schools, and decoupled from the licence process so more people (even if they are not yet able to apply for a licence) can learn about safety. Firearms training could be grouped with other training programmes (including a points system) to gain group 2 NCEA credits. - Children raised in rural backgrounds need to be made aware of firearms and how to handle/not handle firearms and ammunition in a safe manner. There needs to be investment in ensuring that parents of these kids have the right training to teach them or the option of taking their kids to local clubs to ensure they get the training.

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	<p>(b) has had their firearms licence revoked on the ground that they are not a fit and proper person to be in possession of a firearm or an airgun; or</p> <p>(c) is not a fit and proper person to be in possession of a firearm or an airgun.</p> <p>(3) As soon as is reasonably practicable after issuing a firearms licence to a person, a member of the Police must notify the person's health practitioner that a firearms licence has been issued to the person.</p> <p>(4) Subsection (3) does not apply to an applicant who is a visitor</p>		
	<p>manufacture, in relation to an item, includes the assembly of that item</p> <p>22G Restriction on manufacture of prohibited items</p> <p>(1) No person may manufacture a prohibited item.</p> <p>(2) Subsection (1) does not apply to an exempt person described in section 4A(1A).</p> <p>(3) A person who contravenes this section commits an offence under section 50A, 50B, or 50C (as the case may be).</p> <p>55D Offences relating to illegal manufacturing of certain arms items</p> <p>(1) A person commits an offence if the person—</p> <p>(a) intentionally manufactures or assembles a firearm or restricted weapon using parts that have been illegally manufactured, imported, or trafficked; or</p> <p>(b) intentionally enters into a contract or an arrangement, or arrives at an understanding, to manufacture or assemble a firearm or restricted weapon using parts that have been illegally manufactured, imported, or trafficked; or</p> <p>(c) does not hold a dealer's licence, but intentionally manufactures for sale, transfer, rental, or other supply—</p> <p>(i) a firearm, pistol, prohibited firearm, or restricted weapon; or</p> <p>(ii) a part of a firearm, pistol, prohibited firearm, or restricted weapon; or</p> <p>(iii) a pistol carbine conversion kit; or</p> <p>(d) does not hold a dealer's licence, but intentionally enters into a contract or an arrangement, or arrives at an understanding, to manufacture for sale, transfer, rental, or other supply—</p> <p>(i) a firearm, pistol, prohibited firearm, or restricted weapon; or</p> <p>(ii) a part of a firearm, pistol, prohibited firearm, or restricted weapon; or</p> <p>(iii) a pistol carbine conversion kit; or</p> <p>(e) intentionally fails to mark a firearm, part of a firearm, or pistol carbine conversion kit manufactured by the person in accordance with this Act or regulations made under section 74.</p> <p>(2) A person who commits an offence against subsection (1) is liable on conviction to imprisonment for a term not exceeding 10 years.</p>	<p><i>Manufacturing under a standard licence</i></p> <p>What are your views on people with a standard firearms licence being able to manufacture products for their own use, including the use of 3D printing?</p> <p>Do you think specific requirements are needed for the manufacture of ammunition and firearm parts?</p> <p>Do you think the Act provides appropriate controls on manufacturing of firearms and related products?</p>	<p>Background</p> <ul style="list-style-type: none"> - The Consultation Document does not acknowledge the wide definition of 'manufacture' (i.e. includes ability to fix a firearm) - Assuming that they want to establish a class of persons that would be allowed to manufacture, there is currently no such qualification or standard. It would be difficult to create a private market for armourers and gunsmiths, as the low cost of most repairs and modifications would not sustain gaining and maintaining a qualification. <p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - The government needs to better understand how the licensed firearm community works to maintain the safety of their firearms, modify them to be fit for purpose and allow for modifications for persons with disabilities. All of this work is currently within the definition of manufacture that is undertaken by a standard licence holder. This is good to be encouraged, not discouraged. - 3D printing does present a concern, but taking a risk based approach means that you do not need to ban the 3D manufacturing itself but rather the illegal possession of completed firearm or part. A ban on "3D printing" is likely to be quickly redundant due to the speed of technological change, therefore it is better to target the point where the risk occurs (when it is illegally possessed). Imprisonment for a term not exceeding 10 years is excessive for a professional tradesman making a replacement part. - A specific requirement for manufacture of ammunition would be costly and impractical. It is common for target shooters to assemble their own ammunition as this reduces waste, cost, and improved accuracy in competition.

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	<p>(3) For the purposes of this section, anything that purports to be, or is intended to have the effect of, a contract, an arrangement, or an understanding must be treated as a contract, an arrangement, or an understanding (as the case may be).</p> <p>24B General conditions of firearms licence</p> <p>(1) Every firearms licence is subject to the conditions that the holder of a firearms licence must,—</p> <p>(a) when using a firearm, act in a way that does not pose a risk to themselves or others; and</p> <p>(b) produce any firearm that the licence holder is carrying to a member of the Police on demand; and</p> <p>(c) permit a member of the Police to inspect all firearms in the licence holder’s possession, the place or places where the firearms are or will be kept, and the place or places where the ammunition is or will be kept, and, for those purposes, to enter at all reasonable times upon the premises where that place or those places are situated; and</p> <p>(d) permit a member of the Police to inspect the security arrangements in any vehicle used by the holder to transport the licence holder’s firearms; and</p> <p>(e) inform a member of the Police if, after the issue of the licence, any of the circumstances described in section 24A(1) apply to the licence holder; and</p> <p>(f) inform a member of the Police if their health practitioner changes, and provide updated details of the name and contact details of their health practitioner.</p> <p>(2) Subsection (1)(f) does not apply to a holder of a firearms licence who is a visitor.</p> <p>(3) It is the duty of every member of the Police exercising any power conferred by subsection (1)(c) or (d)—</p> <p>(a) to give at least 7 days’ notice of the proposed inspection under subsection (1)(c) or (d); and</p> <p>(b) to identify themselves to the holder of the firearms licence; and</p> <p>(c) to tell the holder of the firearms licence that the power is being exercised under subsection (1)(c) or (d), as the case may be; and</p> <p>(d) if they are not in uniform, to produce on initial entry, and, if requested, at any subsequent time, evidence that they are a member of the Police.</p> <p>(4) Subsections (1)(c) and (3) are subject to section 31A if the licence bears an endorsement made under section 30 or 30B.</p> <p>26 Production of firearms licence</p> <p>(1) Every holder of a firearms licence—</p> <p>(a) shall produce the licence for inspection whenever required to do so by any member of the Police;</p> <p>(b) shall maintain the licence in such a condition that it may be produced in an undefaced and legible condition.</p>	<p><i>Firearms licence compliance requirements</i></p> <p>What role should the FSA play in ensuring licence holders follow the rules relating to firearms possession?</p> <p>What are your views on licence compliance?</p>	<p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - It is relatively low cost for the Authority to remind LFOs of their obligations with regular check-ins (i.e. biannually) to confirm contact information is correct. - COLFO strongly supports educational material being provided when licences are granted, and pro-actively provided when regulations change.

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	<p>(2) The holder of a firearms licence issued pursuant to this Act shall be deemed to have complied with subsection (1)(a) if, within 7 days after having been so required to produce his licence or permit, he produces it at a place specified by the member of the Police.</p> <p>(3) Every person commits an offence and is liable on conviction to a fine not exceeding \$500 who, being the holder of a firearms licence, fails to comply with subsection (1).</p> <p>34 Notification of change of address</p> <p>(1) A holder of a firearms licence who changes their address must, within 30 days after doing so, give written notice of the change to a member of the Police.</p> <p>(2) Every holder of a firearms licence, being a licence that bears an endorsement permitting the holder to have possession of a pistol, prohibited firearm, prohibited magazine, or restricted weapon, who intends to change his address, must notify a member of the Police of the arrangements made for the safe custody of the pistol, prohibited firearm, prohibited magazine, or restricted weapon during its shift to the new address.</p> <p>(3) A person commits an offence and is liable on conviction to a fine not exceeding \$2,000 if the person, without reasonable excuse, contravenes subsection (1) or (2).</p>		
	<p>31A Conditions of endorsements</p> <p>(1) Every endorsement is granted subject to the conditions that any person who is in possession of a pistol, restricted weapon (other than an air pistol), prohibited firearm, or prohibited magazine by virtue of that endorsement must—</p> <p>(a) produce that pistol, restricted weapon, prohibited firearm, or prohibited magazine to any member of the Police on demand; and</p> <p>(b) permit the member of the Police to inspect the pistol, restricted weapon, prohibited firearm, or prohibited magazine and the place where it is kept, and, for that purpose, to enter at all reasonable times upon the premises where the place is situated.</p> <p>(2) It is the duty of every member of the Police exercising any power conferred by subsection (1)—</p> <p>(a) to identify themselves to the person in possession of the pistol, restricted weapon, prohibited firearm, or prohibited magazine; and</p> <p>(b) to tell the person in possession of the pistol, restricted weapon, prohibited firearm, or prohibited magazine that the power is being exercised under subsection (1); and</p> <p>(c) if they are not in uniform, to produce on initial entry, and, if requested, at any subsequent time, evidence that they are a member of the Police.</p>	<p><i>What are your views on the FSA checking of security and storage?</i></p>	<p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - Storage requirements need to be practical rather than box ticking. COLFO is aware of instances such as where a 10 firearm safe being used to store 15 firearms, is deemed to be not compliant. If the storage is secure, then it meets the requirement (regardless of what the safe was sold as). - Storage requirements when there are non-licensed people in the home need to be clarified. COLFO is aware of instances where non-licensed people are deemed to 'have access' when they are not able to access to safe nor know where the keys are. Possession should be defined as "uncontrolled access".
	<p>health practitioner means a health practitioner registered with the Medical Council of New Zealand, a nurse practitioner registered with the Nursing Council of New Zealand, a psychologist registered with the New Zealand Psychologists Board, or a duly authorised officer under the Mental Health (Compulsory Assessment and Treatment) Act 1992</p> <p>92 Health practitioners may give Police medical reports of persons unfit to use firearm</p> <p>(1) This section applies if a health practitioner who has attended or been consulted in respect of a person who the practitioner knows or has reason to believe is a firearms licence holder</p>	<p><i>What are your views on the role of health practitioners in the licensing process?</i></p>	<p>Background:</p> <ul style="list-style-type: none"> - The Consultation Document suggests the government would like to require a health practitioner check as part of the application process. - The definition of Health Practitioner includes a number of other professions (such as chiropractor and occupational therapist). COLFO raised concern about whether these were the appropriate persons to be passing on information about mental health concerns. <p>Suggestions to consider in your answer:</p>

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	<p>considers that the health condition of the licence holder is such that, in the interests of the safety of individuals or the public, the licence holder—</p> <p>(a) should not be permitted to use or possess a firearm; or</p> <p>(b) should only be permitted to use or possess a firearm subject to any limitations that may be warranted by the health condition of the licence holder.</p> <p>(2) If this section applies, the health practitioner must consider notifying the Police as soon as practicable—</p> <p>(a) of the opinion under subsection (1); and</p> <p>(b) the grounds on which it is based; and</p> <p>(c) whether the practitioner believes the licence holder poses an immediate or imminent danger of self-harm or harm to others.</p> <p>(3) If the Police have been notified by a health practitioner under subsection (2), the Commissioner may require a licence holder to undergo a further medical assessment by a health practitioner who is independent from the practitioner who made the initial assessment and, in that case, the licence holder must either—</p> <p>(a) undergo the further assessment; or</p> <p>(b) surrender their licence under section 27(1).</p> <p>(4) Regulations made under section 74(1)(j)(b) (if any) apply in relation to any notice given for the purpose of this section and to any action required under subsection (3).</p> <p>(5) A health practitioner is not liable to criminal, civil, or disciplinary proceedings by disclosing personal information in the course of performing any function or responsibility under this section, as long as the practitioner acts in good faith</p>		<ul style="list-style-type: none"> - Health Practitioner needs to be better defined to be someone who is qualified to provide mental health assessments (i.e. such as a GP). - There is difficulty with people accessing a GP or having an ongoing GP (i.e. accessing urgent care clinics or locum services) that they are able to provide a reliable contact that 'knows them'. - Oppose health practitioner check as part of licence application as this will be an additional cost, that along with difficulty of access, will discourage people from applying for a licence.
	<p>2 Interpretation</p> <p>(1) In this Act, unless the context otherwise requires,—</p> <p>airgun includes—</p> <p>(a) any air rifle; and</p> <p>(b) any air pistol; and</p> <p>(c) any weapon from which, by the use of gas or compressed air (and not by force of explosive), any shot, bullet, missile, or other projectile can be discharged</p> <p>air pistol carbine conversion kit—</p> <p>(a) means a frame or kit that may be used to convert an air pistol that is designed or adapted to be held and fired with 1 hand into an airgun that may be fired from the shoulder; but</p> <p>(b) does not include a pistol carbine conversion kit</p> <p>restricted airgun means an airgun that,—</p> <p>(a) without any of the attachments with which it is customarily used, has the appearance of being a pistol, prohibited firearm, or restricted weapon; or</p>	<p><i>Rules relating to unlicensed use, and use of airguns</i></p> <p>What are your views on rules relating to unlicensed use?</p> <p><i>What are your views on the regulation of airguns?</i></p>	<p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - All air rifles which fire metal projectiles should be considered a standard firearm and bought within the licencing system - If the airguns are brought within the licensing system, there needs to be compensation for airgun owners who do not wish to apply for a licence and therefore must surrender their airgun. This also has implications for airsoft and paintball.

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	<p>(b) with some or all of the attachments with which it is customarily used, has the appearance of being a pistol, prohibited firearm, or restricted weapon; or</p> <p>(c) is designed for use in airsoft or paintball sports and,—</p> <p>(i) without any of the attachments with which it is customarily used, has the appearance of being a firearm capable of full automatic fire; or</p> <p>(ii) with some or all of the attachments with which it is customarily used, has the appearance of being a firearm capable of full automatic fire</p> <p>21 Restrictions on possession of airguns</p> <p>(1) Except as otherwise provided in this Act or as otherwise provided in regulations made under this Act, no person shall have an airgun in his possession unless—</p> <p>(a) he is of or over the age of 18 years; or</p> <p>(b) he is between 16 years and 18 years of age and is the holder of a firearms licence.</p> <p>(2) A person commits an offence and is liable on conviction to a fine not exceeding \$1,000 if the person, without reasonable excuse, contravenes subsection (1).</p> <p>(3) Nothing in this section applies in relation to the possession of specially dangerous airguns.</p> <p>2 Interpretation</p> <p>(1) In this Act, unless the context otherwise requires,—</p> <p>visitor means a visitor to New Zealand who intends to be in New Zealand for less than 1 year</p> <p>22F Visitors may not take ownership of firearm or restricted weapon</p> <p>(1) A visitor who holds a firearms licence may not, during their stay in New Zealand, acquire ownership of any firearm or restricted weapon for possession in New Zealand.</p> <p>(2) If a person contravenes subsection (1), that person’s firearms licence is immediately revoked.</p> <p>25 Duration of firearms licence</p> <p>(1) A firearms licence comes into force on the date specified in the licence and, unless revoked or surrendered earlier,—</p> <p>(a) expires 5 years from that date in the case of—</p> <p>(i) a licence issued to a person who has never previously held a firearms licence; or</p> <p>(ii) a licence issued to a person whose previous licence was revoked or surrendered; or</p> <p>(iii) a licence issued to a person who allowed their previous licence to expire without applying for a new licence before the expiry date:</p> <p>(b) expires 10 years from that date in any other case.</p> <p>(2) Despite subsection (1), if a licence is granted to a person who states in the application form for the licence that he or she is a visitor, the licence may be granted subject to a condition that it expires 1 year from the date of issue or expires on any earlier date specified in the licence.</p> <p><i>Regulations</i></p> <p>21 Application by visitor to New Zealand for endorsement in respect of pistol</p>	<p><i>International visitors</i></p> <p>What are your views on the processes for visitor’s licences?</p>	<p>Background</p> <ul style="list-style-type: none"> - The visitor licence allows visitors to get a licence for up to a year, rather than having to apply every year (section 25(2)) <p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - COLFO understands the need for a time restriction for a new resident to apply for a licence. Whilst visitor licences are important, if a person intends to live here (and therefore store and use firearms on a long term basis), it should be considered whether a delay should incur to properly allow for integration into the local shooting club. - However, both the visitor system and new resident scheme should take account of licensed firearm holders from equivalent systems (similar to the driving licence system). - Guided hunting is an important tourist attraction and as part of the Government’s plan to increase the number of tourists, this should be encouraged.

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	<p>(1) For the purposes of section 29 of the Act, a visitor to New Zealand who wishes to use a pistol for competitive shooting on a pistol range in New Zealand is a class of person who may be permitted to obtain an endorsement permitting that person to have possession of a pistol in that person's capacity as such a visitor.</p> <p>(2) The class of person specified in subclause (1) is in addition to the classes of persons specified in paragraphs (a) to (f) of section 29(2) of the Act.</p>		
	<p>19A Restriction on possession of prohibited firearms and prohibited magazines</p> <p>(1) No person may have in their possession a prohibited firearm or prohibited magazine unless the person is—</p> <p>(a) the holder of a dealer's licence that bears an endorsement made under section 30B and who obtains the prohibited firearm or prohibited magazine in any of the ways specified in section 10(1)(b); or</p> <p>(b) the holder of a firearms licence that bears an endorsement that—</p> <p>(i) is made under section 30B permitting the holder to possess a prohibited firearm or prohibited magazine; and</p> <p>(ii) is made specific to the prohibited firearm or prohibited magazine by—</p> <p>(c) a permit to import issued under section 18; or</p> <p>(A) a permit to possess issued under section 35A.</p> <p>(2) This section does not apply to an employee of a licensed dealer when—</p> <p>(a) acting in their capacity as an employee; and</p> <p>(b) assisting with the carrying on of a dealer activity (if they are qualified under section 11 to do so).</p> <p>(3) A person who contravenes this section commits an offence under section 50A or 50B (as the case may be).</p> <p>19B Restriction on possession of prohibited parts</p> <p>(1) No person may have in their possession a prohibited part unless the person—</p> <p>(a) is an exempt person of or over the age of 18 years; and</p> <p>(b) either—</p> <p>(i) is the holder of a dealer's licence that bears an endorsement made under section 30B permitting the holder to possess a prohibited firearm or prohibited magazine and the holder has obtained the prohibited part in any of the ways specified in section 10(2); or</p> <p>(ii) is the holder of a firearms licence that bears an endorsement made under section 30B that permits the holder to possess a prohibited firearm.</p> <p>(2) This section does not apply to an employee of a licensed dealer when—</p> <p>(a) acting in their capacity as an employee; and</p>	<p><i>Endorsements, approvals, and permit to possess</i></p> <p>What are your views on endorsements relating to pistols, prohibited firearms and restricted weapons?</p>	

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	<p>(b) assisting with the carrying on of a dealer activity (if they are qualified under section 11 to do so).</p> <p>(3) A person who contravenes this section commits an offence under section 50C. Section 19B: inserted, on 25 June 2020, by section 33 of the Arms Legislation Act 2020 (2020 No 23).</p> <p>19C Restriction on possession of pistols and restricted weapons</p> <p>(1) No person may have in their possession a pistol or restricted weapon unless the person is—</p> <p>(a) the holder of a dealer’s licence that bears an endorsement that—</p> <p>(i) is made under section 30 permitting the holder to possess a pistol or restricted weapon; and</p> <p>(ii) is made specific to the pistol or restricted weapon by—</p> <p>(A) a permit to import issued under section 18; or</p> <p>(B) a permit to possess issued under section 35; or</p> <p>(b) the holder of a firearms licence that bears an endorsement that—</p> <p>(i) is made under section 30 permitting the holder to possess a pistol or restricted weapon; and</p> <p>(ii) is made specific to the pistol or restricted weapon by—</p> <p>(A) a permit to import issued under section 18; or</p> <p>(B) a permit to possess issued under section 35.</p> <p>(2) This section does not apply to an employee of a licensed dealer when—</p> <p>(a) acting in their capacity as an employee; and</p> <p>(b) assisting with the carrying on of a dealer activity (if they are qualified under section 11 to do so).</p> <p>(3) A person who contravenes this section commits an offence under section 50.</p> <p>22C Restrictions on possession of pistol carbine conversion kits</p> <p>(1) A person must not have in their possession a pistol carbine conversion kit unless the person is—</p> <p>(a) the holder of a dealer’s licence that bears an endorsement made under section 30 permitting the holder to possess a pistol and has been issued with—</p> <p>(i) a permit to import issued under section 18AA; or</p> <p>(ii) a permit to possess issued under section 35AAA; or</p> <p>(b) the holder of a firearms licence—</p> <p>(i) whose licence bears an endorsement made under section 30 permitting the holder to possess a pistol; and</p> <p>(ii) who has been issued with—</p> <p>(A) a permit, under section 18, to import a pistol; or</p>		

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	<p>(B) a permit, under section 35, to possess a pistol; and</p> <p>(iii) who has been issued with—</p> <p>(A) a permit, under section 18AA, to import a pistol carbine conversion kit; or</p> <p>(B) a permit, under section 35AAA, to possess a pistol carbine conversion kit.</p> <p>(2) This section does not apply to an employee of a licensed dealer when—</p> <p>(a) acting in their capacity as an employee; and</p> <p>(b) assisting with the carrying on of a dealer activity (if they are qualified under section 11 to do so).</p> <p>(3) A person who contravenes this section commits an offence under section 50AA.</p> <p>29 Application for endorsements in respect of pistol or restricted weapon</p> <p>(1) [Repealed]</p> <p>(2) Any person, being an applicant for a firearms licence or a holder of a firearms licence, may apply to a member of the Police for an endorsement on their firearms licence permitting that person to have possession of a pistol or a restricted weapon (other than an anti-personnel mine or a cluster munition) in his capacity as—</p> <p>(a) a member of an incorporated pistol shooting club that holds a certificate of approval issued under section 38G; or</p> <p>(b) a bona fide collector of firearms; or</p> <p>(c) a person to whom the pistol or restricted weapon has special significance as an heirloom or memento; or</p> <p>(d) the Director or Curator of a bona fide museum; or</p> <p>(e) an approved employee or approved member of any body, being—</p> <p>(i) a broadcaster within the meaning of the Broadcasting Act 1989; or</p> <p>(ii) a bona fide theatre company or society or cinematic or television film production company or video recording production company; or</p> <p>(f) an employee of a licensed dealer; or</p> <p>(g) a person of a class specified for the purposes of this section by regulations made under this Act.</p> <p>(2A) An applicant for a dealer’s licence or the holder of a dealer’s licence may apply to a member of the Police for an endorsement on their dealer’s licence permitting them to possess a pistol or restricted weapon (other than an anti-personnel mine or a cluster munition) in their capacity as a licensed dealer.</p> <p>(2B) A person described in subsection (2)(b), (c), (d), or (e) who is an applicant for a firearms licence or a holder of a firearms licence may apply to a member of the Police under this section for an endorsement permitting that person to have possession of a semi-automatic pistol.</p>		

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	<p>(3) For the purposes of subsection (2)(e), approved, in relation to any employee or member, means approved in writing for the purposes of that subsection by the chief executive officer of the body by which he is employed or of which he is a member.</p> <p>(4) An application under subsection (2), (2A), or (2B) must be made on a form provided by a member of the Police.</p> <p>30 Power to make endorsement in respect of pistols or restricted weapons</p> <p>(1) On receiving an application under section 29, a member of the Police may, subject to any direction from the Commissioner, make the endorsement applied for if he is satisfied—</p> <p>(a) that the applicant is a fit and proper person to be in possession of the pistol or restricted weapon to which the application relates; and</p> <p>(b) that the applicant should, on grounds or in a capacity specified in section 29, be permitted to have possession of the pistol or restricted weapon to which the application relates; and</p> <p>(c) in the case of an application under section 29(2)(e), that possession of the pistol or restricted weapon by the employee or member is necessary for the purpose of—</p> <p>(i) making a broadcast; or</p> <p>(ii) producing or staging a play; or</p> <p>(iii) filming a cinematic production or television film or making a video recording.</p> <p>(2) A person whose firearms licence or dealer’s licence bears an endorsement made under this section is not entitled to lawfully possess a pistol or restricted weapon until—</p> <p>(a) the person is issued with a permit for the purposes of section 16(1) to bring or cause to be brought or sent into New Zealand a pistol or restricted weapon; or</p> <p>(b) the endorsement is made specific to the pistol or restricted weapon in respect of which a permit has been issued under section 35.</p> <p>(3) A person whose firearms licence or dealer’s licence bears an endorsement made under this section is not entitled to lawfully possess a pistol carbine conversion kit until—</p> <p>(a) the person is issued with a permit under section 18AA for the purposes of section 16(1)(g) to bring or cause to be brought or sent into New Zealand a pistol carbine conversion kit; or</p> <p>(b) the person holds a permit issued under section 35AAA to possess the pistol carbine conversion kit.</p> <p>30A Application for endorsement in respect of prohibited firearm or prohibited magazine</p> <p>(1) An exempt person described in any of paragraphs (b) to (j) of section 4A(1) who is of or over the age of 18 years, and who is the holder of a firearms licence or is applying for a firearms licence, may apply for an endorsement on their firearms licence permitting them to possess a prohibited firearm or prohibited magazine in their capacity as an exempt person.</p> <p>(2) A person who is of or over the age of 18 years, and who is the holder of a dealer’s licence or is applying for a dealer’s licence, may apply for an endorsement on their dealer’s licence</p>		

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	<p>permitting them to possess a prohibited firearm or prohibited magazine in their capacity as a licensed dealer.</p> <p>(3) A person who is of or over the age of 18 years, and who is the employee of a licensed dealer, may apply for an endorsement on their firearms licence permitting them to possess a prohibited firearm or prohibited magazine in their capacity as an employee of the licensed dealer.</p> <p>(4) An application under this section must—</p> <p>(a) be made on a form provided by a member of the Police; and</p> <p>(b) state in which capacity referred to in subsection (1), (2), or (3) the applicant is making the application.</p> <p>(5) An applicant must permit a member of the Police to take, or cause to be taken, for the purposes of the application, 1 or more photographs of the applicant.</p> <p>30B Power to make endorsement in respect of prohibited firearm or prohibited magazine</p> <p>(1) On receiving an application under section 30A, a member of the Police may, subject to any direction of the Commissioner, make an endorsement on the applicant’s firearms licence or dealer’s licence permitting the applicant to possess a prohibited firearm or prohibited magazine if the member of the Police is satisfied that—</p> <p>(a) the applicant is a fit and proper person to possess a prohibited firearm or prohibited magazine to which the application relates; and</p> <p>(b) it is appropriate for the applicant, in their capacity as an exempt person, to possess a prohibited firearm or prohibited magazine.</p> <p>(2) In the case of an application made by an exempt person described in section 4A(1)(c), the member of the Police must, before making an endorsement, be satisfied—</p> <p>(a) of the matters in subsection (1)(a); and</p> <p>(b) that in all the circumstances it is reasonable to grant the endorsement.</p> <p>(3) In the case of an application made by an exempt person described in section 4A(1)(e), the member of the Police must, before making an endorsement, be satisfied—</p> <p>(a) of the matters in subsection (1); and</p> <p>(b) that the possession of a prohibited firearm or prohibited magazine by the applicant is required for the purpose of—</p> <p>(i) making a broadcast; or</p> <p>(ii) producing or staging a play; or</p> <p>(iii) filming a cinematic production or television film or making a video recording.</p> <p>(4) In the case of an application made by an exempt person described in section 4A(1)(f), (g), (h), (i), or (j), the member of the Police must, before making an endorsement, be satisfied—</p> <p>(a) of the matters in subsection (1); and</p> <p>(b) that the exempt person has a genuine need to possess the prohibited firearm or prohibited magazine; and</p>		<p>All P endorsed magazines must be registered and serialised. There is no pathway to register any new +10 magazines found in New Zealand, police have deemed that they must be handed to police for destruction.</p> <p>There should be a return to any currently prohibited magazines surrendered to a firearms dealer of person holding a P magazines endorsement, can be registered to a person holding a P endorsement. This is a public safety issue as it will take these magazines out of the grey or black market.</p> <p>As with magazines, there is no pathway to take semi automatic firearms onto a P endorsed licence. Police will seize them for destruction.</p> <p>As with Magazine, semi auto firearms can be surrendered to a dealer or appropriate licenced person and be registered on a P licence. This is an even bigger public safety issue due to the huge increase of shooting in New Zealand.</p>

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	<p>(c) that the prohibited firearm or prohibited magazine will be used by the exempt person solely for the purpose of controlling wild animals or animal pests; and</p> <p>(d) that that purpose cannot effectively be achieved by the use of a non-prohibited firearm or non-prohibited magazine.</p> <p>(5) A person whose firearms licence or dealer’s licence bears an endorsement made under this section is not entitled to lawfully possess a prohibited firearm or prohibited magazine until—</p> <p>(a) the person is issued with a permit for the purposes of section 16(1) to bring or cause to be brought or sent into New Zealand a prohibited firearm or prohibited magazine; or</p> <p>(b) the endorsement is made specific to the prohibited firearm or prohibited magazine in respect of which a permit has been issued under section 35A.</p> <p>31 Possession of firearm, pistol, prohibited item, or restricted weapon for stage, film, or television purposes</p> <p>Notwithstanding anything in this Act, a person who is not entitled under this Act to have possession of a firearm or pistol or prohibited item or restricted weapon may have possession of that firearm or pistol or prohibited item or restricted weapon for the purpose of making a broadcast or a theatrical, cinematic, television film, or video recording production if—</p> <p>(a) that person is under the immediate supervision of a person who is entitled under this Act to have possession of that firearm or pistol or prohibited item or restricted weapon; and</p> <p>(b) that person has possession of that firearm or pistol or prohibited item or restricted weapon only during the broadcast or the production or staging of the play or the filming of the cinematic production or television film; and</p> <p>(c) that person is not in possession of any ammunition (other than blank ammunition) for the firearm or pistol, or prohibited item or restricted weapon.</p> <p>31A Conditions of endorsements</p> <p>(1) Every endorsement is granted subject to the conditions that any person who is in possession of a pistol, restricted weapon (other than an air pistol), prohibited firearm, or prohibited magazine by virtue of that endorsement must—</p> <p>(a) produce that pistol, restricted weapon, prohibited firearm, or prohibited magazine to any member of the Police on demand; and</p> <p>(b) permit the member of the Police to inspect the pistol, restricted weapon, prohibited firearm, or prohibited magazine and the place where it is kept, and, for that purpose, to enter at all reasonable times upon the premises where the place is situated.</p> <p>(2) It is the duty of every member of the Police exercising any power conferred by subsection (1)—</p> <p>(a) to identify themselves to the person in possession of the pistol, restricted weapon, prohibited firearm, or prohibited magazine; and</p> <p>(b) to tell the person in possession of the pistol, restricted weapon, prohibited firearm, or prohibited magazine that the power is being exercised under subsection (1); and</p> <p>(c) if they are not in uniform, to produce on initial entry, and, if requested, at any subsequent time, evidence that they are a member of the Police.</p>		<p>There was originally only one theatrical endorsement, then post 2019 there were two types of theatrical endorsement, one for a new position called an event armourer, and one for a person who takes along and used their own firearm at a reenactment or film event.</p> <p>Next we find there are nine different types of endorsement covering film, reenacting and the event armourer.</p> <p>This needs to change back to just two types of theatrical armourers.</p> <p>The event armourer must now apply for permission from police to hold any theatrical display. This puts us at the whim of anything required from the Arms office, and failure to provide means we don’t receive permission to have the reenactment event.</p> <p>A return to contacting police and notifying them of the event location and duration. This could be through North Comms or perhaps the 105-phone number. The reason being that the permission system is unreliable and takes too long and is also susceptible to individual arms offices whims.</p>

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	<p>32 Further conditions of endorsements in respect of pistols and restricted weapons</p> <p>(1) It is a condition of every endorsement made under section 30 that the holder of the firearms licence—</p> <p>(a) observes, in respect of every pistol or restricted weapon or part of a restricted weapon in his possession, such security precautions as are required by regulations made under this Act; and</p> <p>(b) ensures that every restricted weapon in his possession is both rendered inoperable by the removal of a vital part and maintained, by reason of the removal of a vital part, in an inoperable condition.</p>		
	<p>ammunition seller—</p> <p>(a) means a person who is responsible for the day-to-day management of a business that includes selling or supplying ammunition; but</p> <p>(b) does not include—</p> <p>(i) a licensed dealer; and</p> <p>(ii) a member of a shooting club, if the member sells ammunition—</p> <p>(A) to a club member, or on club premises, with the approval of the management committee of the club or a majority vote of club members; and</p> <p>(B) the sales revenue is used for the benefit of the club</p> <p>22D Restrictions on selling or supplying ammunition</p> <p>(1) A person who sells or supplies ammunition (other than projectiles for airguns) must hold a firearms licence.</p> <p>(2) A person may only sell or supply ammunition (other than projectiles for airguns) to a person who holds a firearms licence.</p> <p>(3) Subsection (1) does not apply to an employee of an ammunition seller performing their duties under the supervision of a person who is the holder of a firearms licence.</p> <p>(4) A person commits an offence and is liable on conviction to a fine not exceeding \$10,000 if the person, without reasonable excuse, contravenes subsection (1) or (2).</p> <p>(5) It is a defence to a prosecution for an offence against subsection (2) if—</p> <p>(a) the defendant proves that the defendant took reasonable steps to ascertain whether the person to whom the defendant sold or supplied the ammunition (A) was the holder of a firearms licence; or</p> <p>(b) the defendant proves that—</p> <p>(i) the ammunition was sold or supplied to A for use under the immediate supervision of another person who holds a firearms licence (B); and</p>	<p><i>What are your views on the requirements for approved ammunition sellers?</i></p>	<p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - Taking a risk based approach would be reflected by minimising the requirements on ammunition sellers. - One way this can be done is by excluding the need for records if the ammunition is purchased and used at the same location (i.e. shooting range)

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	<p>(ii) at all times while A was in possession of the ammunition, A was under the immediate supervision of B.</p> <p>(6) Nothing in subsection (3) applies in relation to any ammunition sold or supplied for a firearm of the kind described in section 22(1)(a), (b), or (c).</p> <p>22E Ammunition seller to keep record of ammunition sales</p> <p>(1) (1) following details in respect of all ammunition (other than projectiles for airguns) sold or supplied in the course of their business:</p> <p>(a) the name of the person to whom the ammunition was sold or supplied; and</p> <p>(b) the quantity and type of ammunition sold or supplied to the person; and</p> <p>(c) the person’s firearms licence number, or, if the ammunition was sold or supplied to the person for use under the immediate supervision of another person who holds a firearms licence, the name and firearms licence number of that other person.</p> <p>(2) Despite subsection (1), an ammunition seller need not record details under that subsection if—</p> <p>(a) the details are declared by regulations made under section 74 to be exempt from the requirement in that subsection; or</p> <p>(b) the dealer provides the details to the Police for inclusion in the registry in accordance with the regulations.</p> <p>(3) An ammunition seller must, at all reasonable times, permit any member of the Police to inspect and make copies of any entries in the book referred to in subsection (1) if the ammunition seller has received at least 7 days’ prior notice of the member’s intention to do so.</p> <p>(4) An ammunition seller who keeps their book under subsection (1) in hard copy form must retain the book for at least 10 years from the date of the last entry in the book.</p> <p>(5) An ammunition seller who keeps their book under subsection (1) electronically must retain each electronic record for at least 10 years from the date on which the record is entered.</p> <p>(6) When an ammunition seller’s firearms licence expires or is revoked or surrendered, or the ammunition seller ceases selling or supplying ammunition, the ammunition seller must immediately surrender to the Police all records they are required by this section to keep that have not been included in the registry.</p> <p>(7) An ammunition seller commits an offence and is liable on conviction to a fine not exceeding \$10,000 if the ammunition seller, without reasonable excuse, contravenes any of subsections (1) to (6).</p> <p>24C Special condition of firearms licence relating to sale or supply of ammunition</p> <p>A firearms licence held by an ammunition seller is subject to the condition that the ammunition seller has appropriate facilities to ensure the secure storage of all ammunition that, at any time, they possess.</p> <p><i>Regulations</i></p> <p>9G Persons must notify intention to become ammunition seller</p> <p>(1) A person who intends to be an ammunition seller must notify the Police of that intention,—</p>		

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	<p>(a) if they hold a firearms licence, at the time they intend to start selling ammunition:</p> <p>(b) in any other case, at the time they apply for a firearms licence.</p> <p>(2) The notification must be in a form prescribed by the Commissioner that requires the following information:</p> <p>(a) the person’s full name:</p> <p>(b) the person’s firearms licence number (unless the person is, at the same time as giving the notification, applying for a firearms licence):</p> <p>(c) the address of the person’s place of business:</p> <p>(d) the types of ammunition the person intends to sell:</p> <p>(e) the person’s arrangements to securely store the ammunition:</p> <p>(f) the name of each of the person’s employees who will be handling the ammunition in their capacity as an employee and either the number of their firearms licence or their date of birth (for employees who do not hold a firearms licence):</p> <p>(g) the arrangements that will be in place to ensure that any employee of the person who does not hold a firearms licence will possess ammunition only while performing their duties at their place of work under the supervision of another person who is the holder of a firearms licence:</p> <p>(h) any other relevant information that the Commissioner requires.</p> <p>9H Secure storage of ammunition</p> <p>(1) An ammunition seller must store ammunition in accordance with this regulation.</p> <p>(2) If the ammunition is not on display on the seller’s premises, the ammunition must be stored—</p> <p>(a) in an area not accessible to the public; and</p> <p>(b) in a locked steel box, steel cabinet, or steel safe, that is secured to the building, or in a steel and concrete strongroom or stout storeroom.</p> <p>(3) If the ammunition is on display on the seller’s premises—</p> <p>(a) in an area that is accessible to the public, the ammunition must be stored in a locked cabinet, locked container, or locked display case that must be soundly constructed and fixed to the building to prevent its removal:</p> <p>(b) in a locked display case outside opening times, the premises must be secured against public access.</p> <p>9I Record kept by ammunition sellers</p> <p>(1) In their book that records the details required by section 22E of the Act, an ammunition seller must also record—</p> <p>(a) the quantity and type of ammunition the seller receives in the course of their business, and the date on which it is received; and</p> <p>(b) the name and address of the supplier (which must include the overseas supplier, if the ammunition is imported); and</p>		

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	<p>(c) the number of the supplier’s firearms licence, if the supplier is in New Zealand; and</p> <p>(d) the date on which the seller delivers ammunition sold by the seller.</p> <p>(2) The relevant records in the ammunition seller’s book must be made available to the Police in the form and manner, and as frequently as, prescribed by the Commissioner.</p> <p>35 Issue of permit to possess pistol or restricted weapon</p> <p>(1) A permit to possess a pistol or restricted weapon may be issued only by a member of the Police acting under a direction of the Commissioner.</p> <p>(2) A permit to possess a pistol or restricted weapon may be issued if the member of the Police to whom the application is made is satisfied—</p> <p>(a) that the applicant holds a dealer’s licence that bears an endorsement made under section 30; or</p> <p>(b) that the applicant holds a firearms licence that bears an endorsement made under section 30 and that, by virtue of that licence and endorsement, the applicant is permitted to have possession of the pistol or restricted weapon, as the case may be.</p> <p>(2A) A permit may not be issued under this section to an applicant acting in their capacity as an employee of a licensed dealer.</p> <p>(3) Every permit issued under this section shall, unless sooner revoked, remain in force for such period, not exceeding 1 month, as may be specified in the permit.</p> <p>(4) Any permit issued under this section may at any time during its currency be revoked by a commissioned officer of Police.</p> <p>(5) No permit is to be issued under this section in respect of an anti-personnel mine or a cluster munition.</p> <p>35AAA Issue of permit to possess pistol carbine conversion kit</p> <p>(1) A permit to possess a pistol carbine conversion kit may be issued to an applicant only by a member of the Police acting under a direction of the Commissioner.</p> <p>(2) A permit to possess a pistol carbine conversion kit may be issued if the member of the Police to whom the application is made is satisfied—</p> <p>(a) that the applicant—</p> <p>(i) is the holder of a dealer’s licence that bears an endorsement made under section 30 permitting the holder to possess a pistol; and</p> <p>(ii) has been issued with—</p> <p>(A) a permit, under section 18, to import a pistol; or</p> <p>(B) a permit, under section 35, to possess a pistol; or</p> <p>(b) that the applicant (not being an employee of a licensed dealer)—</p> <p>(i) is the holder of a firearms licence that bears an endorsement made under section 30 permitting the holder to possess a pistol; and</p> <p>(ii) has been issued with—</p>	<p><i>What are your views on the permit to possess system, and how it interacts with endorsements?</i></p>	<p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - The permit to possess system changes between regions. A recommendation of the Royal Commission’s report was to standardise protocols and practices across the country. This could be achieved here with a standard online form and a transparent assessment process that enables applicants to provide all relevant material. - The endorsement should detail what uses are permitted and what uses are not.

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	<p>(A) a permit, under section 18, to import a pistol; or</p> <p>(B) a permit, under section 35, to possess a pistol.</p> <p>(3) The member of the Police to whom the application is made must also be satisfied that—</p> <p>(a) the pistol carbine conversion kit specifically enables a pistol that has an overall length of no more than 400 millimetres and is capable of firing specified ammunition at a muzzle velocity of 1,600 feet per second or less to be fired from the shoulder; and</p> <p>(b) the pistol carbine conversion kit does not modify the pistol in any way other than as specified in paragraph (a).</p> <p>(4) However, if an application is made by an applicant in the applicant’s capacity referred to in section 29(2)(b), (c), (d), or (e), the Commissioner may grant the application without being satisfied of the matters in subsection (3).</p> <p>(5) Unless sooner revoked, a permit issued under this section remains in force for the period specified in the permit, which must not exceed 1 month.</p> <p>(6) A permit may at any time be revoked by a commissioned officer of Police.</p> <p>35A Issue of permit to possess prohibited firearm or prohibited magazine</p> <p>(1) A permit to possess a prohibited firearm or prohibited magazine may be issued only by a member of the Police acting under a direction of the Commissioner.</p> <p>(2) A permit to possess a prohibited firearm or prohibited magazine may be issued if the applicant holds a dealer’s licence or firearms licence that bears an endorsement made under section 30B permitting the applicant to possess a prohibited firearm or prohibited magazine and the member of the Police is satisfied that it is appropriate for the applicant to possess the prohibited firearm or prohibited magazine.</p> <p>(2A) A permit may not be issued under this section to an applicant acting in their capacity as an employee of a licensed dealer.</p> <p>(3) Unless sooner revoked, a permit issued under this section remains in force for the period specified in the permit, which must not exceed 1 month.</p> <p>(4) A permit may at any time be revoked by a commissioned officer of Police.</p> <p><i>Regulations</i></p> <p>23A Manner of applying for permit to possess</p> <p>(1) Every application for a permit to possess an item that is a pistol, pistol carbine conversion kit, prohibited firearm, prohibited magazine, or restricted weapon must be made—</p> <p>(a) in writing in hard copy form; or</p> <p>(b) electronically through an Internet site.</p> <p>(1A) If the purpose of the application for a permit to possess is to make an endorsement made under section 30(2)(b) or 30B(5)(b) of the Act specific in relation to an item that the applicant is acquiring from another person,—</p>		

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	<p>(c) regulations 24, 25, 26, and 27(2) and (4) apply to an application that is made in writing in hard copy form:</p> <p>(d) regulations 24, 26A, and 27(2) and (4) apply to an application that is made electronically through an Internet site.</p> <p>(1B) If the purpose of the application for a permit to possess is to make an endorsement made under section 30(2)(b) or 30B(5)(b) of the Act specific in relation to an item that the applicant already possesses under a different endorsement or in reliance on clause 5 of Schedule 1 of the Act,—</p> <p>(e) made in writing in hard copy form:</p> <p>(f) regulations 24, 26C, and 27(3) and (4) apply to an application that is made electronically through an Internet site.</p> <p>(1C) [Revoked]</p> <p>(2) An application for a permit to possess an item described in subclause (1A)(b) may be made electronically through an Internet site only if—</p> <p>(a) the person intending to apply for the permit through the Internet site has—</p> <p>(i) provided the information specified in regulation 24(1) to the Police through the Internet site; and</p> <p>(ii) received an application number; and</p> <p>(iii) provided that application number to the person intending to hand over possession of the item; and</p> <p>(b) after receiving the application number, the person intending to hand over possession of the item has agreed to complete the transaction through the Internet site by doing the following through that site:</p> <p>(i) checking the information that the person intending to take possession of the item has provided under regulation 24(1)(d) to (g) and confirming that it is correct; and</p> <p>(ii) providing a description of the item, including the make, model, calibre, and identification marking (if it has one at that time) of the item; and</p> <p>(iii) confirming that they agree to provide through the Internet site the date of transfer of the item and the identification marking of the item transferred (if that marking has not already been provided under subparagraph (ii)) not later than 7 days after the date of the transfer.</p> <p>24 Application for permit to possess pistol, pistol carbine conversion kit, prohibited firearm, prohibited magazine, or restricted weapon</p> <p>(1) Every application for a permit to possess a pistol, pistol carbine conversion kit, prohibited firearm, prohibited magazine, or restricted weapon shall state—</p> <p>(a) the full name of the applicant; and</p> <p>(b) the address of the applicant; and</p> <p>(c) the number of the applicant’s firearms licence; and</p>		

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	<p>(d) the general description of the pistol, pistol carbine conversion kit, prohibited firearm, prohibited magazine, or restricted weapon; and</p> <p>(e) the location of the pistol, pistol carbine conversion kit, prohibited firearm, prohibited magazine, or restricted weapon; and</p> <p>(f) the full name of the owner of the pistol, pistol carbine conversion kit, prohibited firearm, prohibited magazine, or restricted weapon; and</p> <p>(g) the number of the owner's firearms licence; and</p> <p>(h) the capacity referred to in section 4A(1) or 29(2) of the Act in respect of which the applicant's firearms licence bears an endorsement (made under section 30 or 30B of the Act); and</p> <p>(i) the capacity referred to in section 4A(1) or 29(2) of the Act in respect of which the applicant applies to possess the pistol, prohibited firearm, prohibited magazine, or restricted weapon.</p> <p>(1A) In the case of an application for a permit to possess a prohibited firearm or prohibited magazine, the applicant must also provide evidence to satisfy the member of the Police considering the application that it is appropriate for the applicant to possess the prohibited firearm or prohibited magazine in the capacity stated under subclause (1)(i) in relation to section 4A(1).</p> <p>(1AA) In the case of an application for a permit to possess a pistol carbine conversion kit, the applicant must provide evidence of the pistol that the pistol carbine conversion kit is to be associated with.</p> <p>(1B) In the case of an application for a permit to possess a pistol, pistol carbine conversion kit, prohibited firearm, prohibited magazine, or restricted weapon in the circumstances described in regulation 23A(1B), the application must also state the identification number of the pistol, pistol carbine conversion kit, prohibited firearm, prohibited magazine, or restricted weapon (if it has one).</p> <p>(2) Nothing in subclause (1) or subclause (1B) or in section 35 or section 44 of the Act shall apply in respect of any pistol that is an antique firearm or any restricted weapon that is an antique firearm.</p>		
	<p>87 Guidance notices</p> <p>(1) The Commissioner may issue notices that provide guidance or details of an administrative nature that relate to 1 or more of the following:</p> <p>(a) the requirements of regulations made under section 74(1)(i) that relate to the security of licensed dealer premises:</p> <p>(b) the requirements of regulations made under section 74(1)(j) that relate to the security of premises where firearms are kept:</p> <p>(c) the issuing of identifying markings for firearms and magazines manufactured in or imported into New Zealand:</p>	<p><i>Resources on using firearms safely</i></p> <p>In your view, are there any areas that would benefit from having more guidance/education?</p>	<p>Background</p> <ul style="list-style-type: none"> - The current list of guidance documents is available here - https://www.firearmssafetyauthority.govt.nz/news-and-publications/posters-flyers-and-other-resources <p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - Consider the areas where you have interacted with licensing system and have difficulty understanding the requirements and/or the interaction with the Police/Authority was poor. Examples (without having to provide identifying information) are useful here. - possibility of online course for non-licensed people and visitors

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	<ul style="list-style-type: none"> (d) the approval of any shooting club or certification of any shooting range: (e) how to demonstrate the positive behaviours, skills, and knowledge that are expected of a fit and proper person: (f) how to manage specific situations where non-licensed persons come into possession of a firearm: (g) matters that health practitioners consider when determining whether to notify the Police under section 92: (h) generally, about any aspect of the Act or regulations made under this Act where the Commissioner thinks further guidance or detail is useful. <p>(2) The Commissioner must consult the Arms Advisory Group, and may consult any other person or organisation that the Commissioner thinks appropriate, before issuing any notice.</p> <p>(3) The Commissioner must—</p> <ul style="list-style-type: none"> (a) publish the notice in the <i>Gazette</i>; or (b) notify in the <i>Gazette</i> the fact that the notice has been made and state in that notification where members of the public can access a copy of the notice in electronic form. 		<ul style="list-style-type: none"> - guidance on what the risk based approach is - support for disability and medical management
		<p><i>Who doesn't need a dealer's licence</i> What are your views on standard licence holders' ability to sell privately?</p>	<p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - Private selling is an efficient way of legally transferring firearms. Requiring all transactions to go through a dealer will encourage more firearms onto the grey and black markets.
<p>Theme 4: Supplying, importing, and buying products</p>	<p>4A Persons who may apply to import, manufacture, sell, supply, possess, or use prohibited items</p> <p>(1) Only the following persons may apply to import, sell, supply, possess, or use a prohibited item in accordance with the provisions of this Act and in their capacity as—</p> <ul style="list-style-type: none"> (a) a licensed dealer: (b) a bona fide collector of firearms: (c) a person to whom the prohibited item has special significance as an heirloom or a memento: (d) a director or curator of a bona fide museum: (e) an approved employee or approved member referred to in section 29(2)(e): (f) a person who is employed or engaged by the Department of Conservation and involved in operations for the purpose of controlling wild animals or animal pests in accordance with a specified Act (subject to prescribed limits, if any): (g) a person who is the holder of a concession granted by the Minister of Conservation to undertake wild animal recovery operations in accordance with a specified Act (subject to prescribed limits, if any): (h) a person who is employed or engaged by a management agency as defined in section 100 of the Biosecurity Act 1993 and involved in operations for the purpose of controlling 	<p>What are your views on the types of activities that require a person to hold a dealer's licence?</p> <p>Do you have views on any other matters relating to dealers?</p>	<p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - Trust should be placed on licenced dealers to undertake compliance and assist as "eyes and ears" of the firearms community. Dealers can be the "go to" place for storage of firearms, taking possession of illegally held firearms, and a conduit for the transfer of firearms. They may charge a fee not only for assisting with activities mentioned above, but also for storage of firearms after suspension or cancellation of licence. - Therefore any changes should: <ul style="list-style-type: none"> • reduce regulatory burden on dealers • reduce costs for dealers. • Promote dealer transactions. - Examples of where this could be reduced: <ul style="list-style-type: none"> • record keeping doesn't need to go back 10 years (note that if the registry continues this removes this storage requirement)

Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
	<p>wild animals or animal pests in accordance with that Act (subject to prescribed limits, if any):</p> <p>(i) a person whose sole business, or a substantial part of whose business, is providing services to control any prescribed wild animals or animal pests, or a person employed or engaged by that person for that purpose (subject to prescribed limits, if any):</p> <p>(j) a person who is the owner or manager, or is an employee, of an agricultural, a horticultural, or a silvicultural business, if there is a real possibility that the commercial viability of the business would be detrimentally affected to a significant extent by the presence of prescribed wild animals or animal pests on any land used for that business (subject to prescribed limits, if any).</p> <p>(1A)) A person who before 12 April 2019 was in the business of manufacturing prohibited parts for the purposes of permitted supply is an exempt person in their capacity as a manufacturing business if the person continues, for the purposes of permitted supply, to manufacture prohibited parts.</p> <p>(1B) A person who before 12 April 2019 was in the business of permitted supply is an exempt person in their capacity as a permitted supply business if the person continues, for the purposes of carrying out permitted supply, to use prohibited items to test and demonstrate prohibited parts.</p> <p>(1C) A person employed or engaged by a person referred to in subsection (1A) or (1B) is an exempt person for the purpose of carrying out their duties in accordance with their contract of employment or engagement.</p> <p>(2) In subsection (1)(f) and (g), specified Act means—</p> <p>(a) the Wildlife Act 1953:</p> <p>(b) the Wild Animal Control Act 1977:</p> <p>(c) the Conservation Act 1987:</p> <p>(d) the Biosecurity Act 1993.</p> <p>(3) In this section, permitted supply means—</p> <p>(a) the supply of prohibited parts to the Crown that is permitted under section 3(2) or (3):</p> <p>(b) the export of prohibited parts to any person that is permitted or authorised under the Customs and Excise Act 2018:</p> <p>the supply of prohibited parts to other persons expressly permitted or authorised under this Act to possess prohibited parts (other than by clause 5 of Schedule 1).</p> <p>5 Dealers to be licensed</p> <p>(1) A person other than a body corporate must not carry on any of the following activities in relation to a class of arms items without a dealer’s licence that authorises the person to carry on the activity in relation to that class of arms items:</p> <p>(a) the business of selling, hiring, lending, or otherwise supplying a class of arms items:</p>		<ul style="list-style-type: none"> the Minister should not have the ability, through regulation, to put further requirements on dealers, particularly if failure would result in penalties increase the duration of a dealer’s licence reduce the requirements on employee dealer licences. Given others involved in the process (i.e. transportation) do not require this certification is appears arbitrary allowing for all dealers to carry out the same activities (i.e. rather than restricting them from ‘auctioning’). If they are fit and proper to be a dealer, they should be allow to operate as one. The requirement that bona fide museum curators need to hold a dealer’s licence should be removed.

Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
	<ul style="list-style-type: none"> (b) possessing, for the purposes of an auction, a class of arms items: (c) the business of repairing or modifying a class of arms items: (d) displaying, as the director or curator of a bona fide museum, a class of arms items: (e) the business of manufacturing for sale, hire, lending, or other supply a class of arms items: (f) manufacturing (for the purposes of permitted supply (as defined in section 4A(3))) prohibited parts and using prohibited items to test and demonstrate those prohibited parts. <p>(2) A body corporate must not carry on any of the activities specified in subsection (1) in relation to a class of arms items unless a senior manager of the body corporate has a dealer’s licence authorising the senior manager to carry on the activities in relation to the class of arms items on behalf of the body corporate.</p> <p>(3) Despite subsections (1) and (2), a dealer’s licence is not required for the following activities:</p> <ul style="list-style-type: none"> (a) commercial hunting guide services by a firearms licence holder who during the provision of those services supplies no more than 6 firearms to 1 or more clients: (b) the selling, hiring, lending, or supplying of firearms by a member of a shooting club, if the member— <ul style="list-style-type: none"> (i) sells, hires, lends, or supplies firearms to a club member, or on club premises, with the approval of the management committee of the club or a majority vote of club members; and (ii) the revenue from the sale, hire, lending, or supply of the firearms is used for the benefit of the club. <p>(4) A dealer’s licence may not be issued for the carrying on of any of the activities specified in subsection (1) in relation to—</p> <ul style="list-style-type: none"> (a) anti-personnel mines; or (b) cluster munitions. <p>(5) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding \$10,000, if the person, without reasonable excuse, contravenes this section.</p> <p>(6) Subsection (3) is subject to section 59A(1).</p> <p>(7) A person who contravenes this section commits an offence under section 50AA.</p>		
	<p>6 Fit and proper person to hold dealer’s licence</p> <p>In deciding whether, for the purposes of section 5B(1)(b)(i), an applicant is a fit and proper person to hold a dealer’s licence, the commissioned officer of Police—</p> <ul style="list-style-type: none"> (a) must take into account the character and reputation of the applicant, and whether the applicant— 	<p><i>Obtaining a dealer’s licence, endorsement, and permit</i></p> <p>What are your views on the fit and proper person tests applied to ascertain the suitability of dealer licence applicants?</p>	<p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - like a standard licence, “other matters” leaves too much discretion to the licence grantor (Police or the Authority). All criteria should be clear in the Act.

Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
	<ul style="list-style-type: none"> (i) has the competencies and resources to carry on the dealer activity or activities for which the dealer’s licence is sought; and (ii) has any convictions; and (iii) has a sound knowledge of firearms; and (iv) understands the legal obligations of a holder of a dealer’s licence; and (v) understands the legal obligations of a holder of a firearms licence, including an understanding of the endorsements that may be made on a firearms licence, and is able to provide advice on those obligations; and <p>(b) in the case of an applicant who is a senior manager of a body corporate, and who, in reliance on section 5(2), is applying for a dealer’s licence to enable the body corporate to carry on a dealer activity, the commissioned officer of Police must take into account whether—</p> <ul style="list-style-type: none"> (i) the body corporate has appropriate record-keeping systems and other systems to comply with the requirements of this Act and any regulations made under this Act; and (ii) if the body corporate operates from 2 or more places of business, there will be, at each of those places, a manager who has appropriate oversight and control of the proposed dealer activity or activities to be carried on at that place; and <p>(c) may take into account any other matters the commissioned officer of Police considers relevant.</p> <p>5A Application for dealer’s licence</p> <p>(1) An application for a dealer’s licence must—</p> <ul style="list-style-type: none"> (a) be made on a form provided by a member of the Police, or in any way approved by a member of the Police; and (b) specify— <ul style="list-style-type: none"> (i) the dealer activities for which the dealer’s licence is sought; and (ii) the class or classes of arms items in respect of which those activities will be carried on; and (iii) the place of business from which the dealer activities will be carried on; and (iv) if the dealer intends to operate from 2 or more places of business, the name of the manager of each place of business and the address of each place of business. <p>(2) An application for a dealer’s licence to carry on or manage the dealer activity specified in section 5(1)(e) in relation to the manufacture of any prohibited items may only be made by a person described in section 4A(1A).</p> <p>(3) An application for a dealer’s licence to carry on the dealer activity specified in section 5(1)(f) may only be made by a person described in section 4A(1A)</p> <p>5B Issue of dealer’s licence</p>		

Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
	<p>(1) A commissioned officer of Police may issue a dealer’s licence to an applicant authorising the applicant to carry on 1 or more dealer activities in respect of 1 or more classes of arms items if—</p> <ul style="list-style-type: none"> (a) the applicant holds a firearms licence; and (b) the commissioned officer of Police is satisfied that— <ul style="list-style-type: none"> (i) the applicant is a fit and proper person to carry on the dealer activity or activities; and (ii) in each place of business from which the dealer activity or activities are being carried on there are secure storage facilities appropriate for the class and number of arms items and any ammunition that may be possessed in the course of carrying on the dealer activity or activities. <p>(2) A dealer’s licence that is issued to an applicant for the carrying on of a dealer activity in respect of any of the following classes of arms items must bear an appropriate endorsement made under section 30 or 30B:</p> <ul style="list-style-type: none"> (a) prohibited firearms; (b) prohibited magazines; (c) pistols; (d) restricted weapons; (e) pistol carbine conversion kits. <p>(3) A dealer’s licence is personal to the person to whom it is issued, may not be transferred to any other person, and must specify—</p> <ul style="list-style-type: none"> (a) the dealer activity or activities the person may carry on; and (b) the class or classes of arms items in respect of which that activity or those activities may be carried on. <p>(4) However, if the person to whom a dealer’s licence is issued is a senior manager of a body corporate, the senior manager may, on behalf of the body corporate, carry out the dealer activities specified in the dealer’s licence in relation to the class or classes of arms items specified in the dealer’s licence.</p>		
	<p>12 Record of dealings by licensed dealers</p> <p>(1) A licensed dealer must keep at the place of business referred to in their licence a book that records the particulars prescribed by regulations made under this Act relating to—</p> <ul style="list-style-type: none"> (a) the transactions conducted in the course of carrying on a dealer activity; and (b) the arms items and ammunition received, sold, supplied, or manufactured in the course of carrying on their business. <p>(1A) A licensed dealer who keeps their book under subsection (1) in hard copy form must retain the book for at least 10 years from the date of the last entry in the book.</p>	<p><i>Do you have any other views on the rules for licensing dealers?</i></p>	<p>If the requirements in the Arms Act for dealer records are retained, they should reflect that this will be done away with when dealer records are replaced by the register (assuming this is also kept).</p> <p>Dealer records should only be kept for 5 years.</p>

Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
	<p>(1B) A licensed dealer who keeps their book under subsection (1) electronically must retain each electronic record for at least 10 years from the date on which the record is entered.</p> <p>(2) Every licensed dealer shall at all times—</p> <p>(a) permit any member of the Police to inspect and make copies of any entries in the book so kept by him pursuant to subsection (1); and</p> <p>(b) afford, on demand, to any member of the Police all further information in his possession with respect to any dealings by him relating to firearms, airguns, pistols, pistol carbine conversion kits, prohibited items, or restricted weapons; and</p> <p>(c) permit any member of the Police to inspect—</p> <p>(i) any firearms, airguns, pistols, pistol carbine conversion kits, prohibited items, or restricted weapons in his possession; and</p> <p>(ii) the premises in which, and the conditions under which, his stock of firearms, airguns, pistols, pistol carbine conversion kits, prohibited items, or restricted weapons is kept.</p> <p>(3) Despite subsection (1), a licensed dealer need not record particulars under that subsection if—</p> <p>(a) the particulars are declared by regulations made under section 74 to be exempt from the requirement in that subsection; or</p> <p>(b) the dealer provides the particulars to the Police for inclusion in the registry in accordance with the regulations.</p> <p>(4) A licensed dealer commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding \$10,000, if the dealer, without reasonable excuse, contravenes this section</p>		
	<p>7A Gun shows</p> <p>(6) Notwithstanding anything in section 7, a dealer’s licence may, with the consent of a commissioned officer of Police, apply from time to time, for a period not exceeding 5 days at any one time, in respect of a place of business other than the place of business in respect of which the dealer’s licence was issued.</p> <p>(7) A commissioned officer of Police may give his or her consent under subsection (1) only if satisfied—</p> <p>(a) that the licensed dealer will, during the period in respect of which the consent is sought, use the place of business in respect of which the consent is sought only for the purposes of conducting a gun show; and</p> <p>(b) that the security of the place of business in respect of which the consent is sought will be sufficient.</p> <p>Any consent given under subsection (1) may be given subject to any conditions specified by the commissioned officer of Police.</p>	<p><i>What are your views on the dealer licence endorsement and permits system?</i></p>	<p>Background</p> <ul style="list-style-type: none"> - Police under s7A(3), may impose “any conditions” on consent to participate in a gun show, Parliament should prescribe the objectives and constraints on all these powers is completely arbitrary and without any transparency <p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - The Consultation Document does not expressly address gun shows but we recommend that you provide examples of the difficulties faced in holding and participating in gun shows. Examples include where Police are not clear on whether certain items can be sold, where people with permits to possess have been unable to transport those items to a gun show for sale or display. - Similarly, if you have experience with organising re-enactment events, please detail those.

Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
	<p>11 Employees of licensed dealer to hold firearms licence bearing appropriate endorsements</p> <p>(1) An employee of a licensed dealer must not assist with carrying on any dealer activity unless the employee holds a firearms licence.</p> <p>(2) If the employee’s duties include the carrying on of a dealer activity in respect of pistols, pistol carbine conversion kits, restricted weapons, prohibited firearms, or prohibited magazines, the employee’s firearms licence must also bear appropriate endorsements made under section 30 or 30B that authorise the employee to possess any such items in connection with their duties as an employee of the licensed dealer.</p> <p>(3) A person commits an offence and is liable on conviction to a fine not exceeding \$10,000 if the person, without reasonable excuse, contravenes this section.</p>	<p><i>What are your views on licensing requirements for employees?</i></p>	<p>Background:</p> <ul style="list-style-type: none"> - Dealer employees have become a major inconvenience and cost, previously the F endorsement was applied to the employees individual licence and lasted for the duration of said licence, now the F endorsement expires after 12 months and must be reapplied for. The F endorsement should simply be cancelled when the person leaves the employ of the dealer. <p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - A risk based approach to dealer employees should be taken. It is only if a person works unsupervised, should they be required to have additional qualifications - Not all people involved in “dealer activity” need to be licensed firearm holders if they are supervised. This is particularly relevant for museum curator employees who will not be engaging with the firearms in the same way as someone that is advising and selling someone a firearm in a shop.
	<p>4A Persons who may apply to import, manufacture, sell, supply, possess, or use prohibited items</p> <p>(1) Only the following persons may apply to import, sell, supply, possess, or use a prohibited item in accordance with the provisions of this Act and in their capacity as—</p> <p>(a) a licensed dealer:</p> <p>(b) a bona fide collector of firearms:</p> <p>(c) a person to whom the prohibited item has special significance as an heirloom or a memento:</p> <p>(d) a director or curator of a bona fide museum:</p> <p>(e) an approved employee or approved member referred to in section 29(2)(e):</p> <p>(f) a person who is employed or engaged by the Department of Conservation and involved in operations for the purpose of controlling wild animals or animal pests in accordance with a specified Act (subject to prescribed limits, if any):</p> <p>(g) a person who is the holder of a concession granted by the Minister of Conservation to undertake wild animal recovery operations in accordance with a specified Act (subject to prescribed limits, if any):</p> <p>(h) a person who is employed or engaged by a management agency as defined in section 100 of the Biosecurity Act 1993 and involved in operations for the purpose of controlling</p>	<p>What are your views on the rule that only dealers are able to manufacture and supply some firearm items?</p> <p>Do you have any other comments on dealers and controls on manufacturing?</p> <p>Do you consider the rise of 3D printing requires specific rules to control it? If so, what should these be?</p>	<p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - The dealer requirements should be simplified. Manufacturing should be allowed as part of the licence. This ties back to the wide definition of manufacturing (i.e. includes assembling) - If a dealer is fit and proper to be a dealer, there should not be additional regulation required for manufacture.

Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
	<p>wild animals or animal pests in accordance with that Act (subject to prescribed limits, if any):</p> <ul style="list-style-type: none"> (i) a person whose sole business, or a substantial part of whose business, is providing services to control any prescribed wild animals or animal pests, or a person employed or engaged by that person for that purpose (subject to prescribed limits, if any): (j) a person who is the owner or manager, or is an employee, of an agricultural, a horticultural, or a silvicultural business, if there is a real possibility that the commercial viability of the business would be detrimentally affected to a significant extent by the presence of prescribed wild animals or animal pests on any land used for that business (subject to prescribed limits, if any). <p>(1A) A person who before 12 April 2019 was in the business of manufacturing prohibited parts for the purposes of permitted supply is an exempt person in their capacity as a manufacturing business if the person continues, for the purposes of permitted supply, to manufacture prohibited parts.</p> <p>(1B) A person who before 12 April 2019 was in the business of permitted supply is an exempt person in their capacity as a permitted supply business if the person continues, for the purposes of carrying out permitted supply, to use prohibited items to test and demonstrate prohibited parts.</p> <p>(1C) A person employed or engaged by a person referred to in subsection (1A) or (1B) is an exempt person for the purpose of carrying out their duties in accordance with their contract of employment or engagement.</p> <p>(2) In subsection (1)(f) and (g), specified Act means—</p> <ul style="list-style-type: none"> (a) the Wildlife Act 1953: (b) the Wild Animal Control Act 1977: (c) the Conservation Act 1987: (d) the Biosecurity Act 1993. <p>(3) In this section, permitted supply means—</p> <ul style="list-style-type: none"> (a) the supply of prohibited parts to the Crown that is permitted under section 3(2) or (3): (b) the export of prohibited parts to any person that is permitted or authorised under the Customs and Excise Act 2018: (c) the supply of prohibited parts to other persons expressly permitted or authorised under this Act to possess prohibited parts (other than by clause 5 of Schedule 1). <p>6B Special condition of dealer’s licence relating to manufacture of firearms, etc</p> <p>(1) Every dealer’s licence issued for the purpose of carrying on a dealer activity relating to the manufacture for sale, hire, lending, or other supply of any of the following classes of items is issued subject to the condition in subsection (2):</p> <ul style="list-style-type: none"> (a) pistols: (b) restricted weapons: (c) pistol carbine conversion kits: 		

Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
	<p>(d) air pistol carbine conversion kits.</p> <p>(2) Before manufacturing any class of items referred to in subsection (1), a dealer must—</p> <p>(a) apply to the Commissioner for approval to manufacture that class of item, stating in the application the number of items intended to be manufactured; and</p> <p>(b) obtain the Commissioner’s written approval for the manufacture of that class of item.</p> <p>(3) The Commissioner, before approving the manufacture of any class of items specified in subsection (1)(a), (b), or (c), must be satisfied that there are special reasons why the items that are proposed to be manufactured should be in New Zealand.</p> <p>(4) The Commissioner must, before approving the manufacture of air pistol carbine conversion kits, also be satisfied that the kits are for the personal use of a member of an airsoft or paintball club that is affiliated with a national airsoft or paintball organisation.</p>		
	<p>18 Issue of permit to import firearms, etc</p> <p>(1) A member of the Police to whom an application is made for the issue of a permit to import any item described in section 16(1)(a) to (g) may require the applicant to produce for examination and testing samples of any item of the kind referred to in the application that the member of the Police considers necessary.</p> <p>(2) A member of the Police, if satisfied of the matters in subsection (3), must grant an application for the issue of a permit to import any of the following items:</p> <p>(a) a non-prohibited firearm;</p> <p>(b) a blank-firing gun;</p> <p>(c) any part of an item described in paragraph (a) or (b);</p> <p>(d) any non-prohibited ammunition.</p> <p>(3) The matters referred to in subsection (2) are that—</p> <p>(a) the applicant is lawfully able to possess the item; and</p> <p>(b) one of the following applies:</p> <p>(i) the applicant has complied with any previous requirement to provide a sample of the item for examination and testing and the sample was approved by a member of the Police;</p> <p>(ii) a sample of the item is not required to be produced for examination and testing;</p> <p>(iii) if the application is made for the issue of a permit to import a sample of an item, the applicant will—</p> <p>(A) import no more than 1 sample; and</p> <p>(B) comply with the requirements in section 18B.</p> <p>(4) The Commissioner may grant an application for the issue of a permit to import any of the following items:</p> <p>(a) a prohibited firearm;</p> <p>(b) a prohibited magazine;</p>	<p><i>Permit to import</i></p> <p>What are your views on the current rules for a permit to import?</p>	<p>Suggestions to consider in your answer:</p> <ul style="list-style-type: none"> - The current import period of one year is too short. Particularly for items coming from overseas or people in regional areas. There should be an automatic reissue of a new permit for undelivered items on a permit after receipt (and advice to the regulator) of a part delivery and cancellation of the original permit. - There needs to be an alignment of what permits are required for. Some COLFO members have experienced an issue where permits are required for items not controlled by the Act. - If the issue is closing off the import permit then it would make sense to issue a replacement import permit with a six month duration for the outstanding items. - Better education of Police to ensure there is consistency in application. For example, if a rifle has previously been allowed, the new model should not require the same inspection period of six weeks.

Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
	<ul style="list-style-type: none"> (c) a prohibited part: (d) a pistol: (e) a restricted airgun: (f) a restricted weapon: (g) any part of a pistol or restricted weapon: (h) any prohibited ammunition that is authorised or permitted expressly by or pursuant to this Act to be possessed. <p>(5) The Commissioner may issue a permit under subsection (4) in respect of an item only if—</p> <ul style="list-style-type: none"> (a) the Commissioner is satisfied that there are special reasons why the item should be allowed in New Zealand; and (b) in the case of an application for the issue of a permit under subsection (4)(a), (b), (d), or (f), the application is made by— <ul style="list-style-type: none"> (i) the holder of a dealer’s licence that bears an endorsement made under section 30 or 30B permitting the dealer to possess the item; or (ii) the holder of a firearms licence that bears an endorsement made under section 30 or 30B permitting the person to possess the item; and (c) in the case of an application for the issue of a permit under subsection (4)(h), the applicant— <ul style="list-style-type: none"> (i) is a person permitted by regulations made under this Act to possess prohibited ammunition; and (ii) is the holder of a firearms licence. <p>(6) If an application for the issue of a permit is made under subsection (4)(c) in relation to a prohibited part that may be used by a licence holder on or with a non-prohibited firearm, the Commissioner—</p> <ul style="list-style-type: none"> (a) must be satisfied that the part will only be used by the licence holder with or on a non-prohibited firearm; and (b) may impose conditions on the permit that enables a member of the Police to verify the use of the part. <p>(7) A permit issued under this section is personal to the person to whom it is issued and may not be transferred to any other person.</p> <p>(8) A permit may in no case be issued under this section in respect of an anti-personnel mine or cluster munition.</p> <p>18AA Issue of permit to import pistol carbine conversion kits</p> <ul style="list-style-type: none"> (1) A member of the Police to whom an application is made for the issue of a permit to import a pistol carbine conversion kit may require the applicant to produce for examination and testing samples of any pistol carbine conversion kit of the kind referred to in the application that the member of the Police considers necessary. 		

Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
	<p>(2) The Commissioner may grant an application for the issue of a permit to bring or cause to be brought or sent into New Zealand a pistol carbine conversion kit only if—</p> <p>(a) the Commissioner is satisfied that—</p> <p>(i) there are special reasons why the pistol carbine conversion kit should be allowed into New Zealand; and</p> <p>(ii) the pistol carbine conversion kit specifically enables a pistol that has an overall length of no more than 400 millimetres and is capable of firing specified ammunition only at a muzzle velocity of 1,600 feet per second or less to be fired from the shoulder; and</p> <p>(iii) the pistol carbine conversion kit does not modify the pistol in any way other than as specified in subparagraph (ii); and</p> <p>(b) the application is made by the holder of a firearms licence—</p> <p>(i) whose licence bears an endorsement made under section 30 permitting the holder to possess a pistol; and</p> <p>(ii) who has been issued with a permit to import a pistol (under section 18) or a permit to possess a pistol (under section 35).</p> <p>(3) However, if an application is made by an applicant in the applicant’s capacity referred to in section 29(2)(b), (c), (d), or (e), the Commissioner may grant the application without being satisfied of the matters in subsection (2)(a)(ii) and (iii).</p> <p>(4) If the applicant has appointed a dealer to import a pistol carbine conversion kit as their agent, the dealer must hold—</p> <p>(a) a firearms licence; and</p> <p>(b) a dealer’s licence that bears an endorsement made under section 30 permitting the dealer to possess a pistol.</p> <p>(5) Any permit issued under this section is personal to the person to whom it is issued and may not be transferred to any other person.</p> <p>18AAB Issue of permit to import air pistol carbine conversion kits</p> <p>(1) A member of the Police to whom an application is made for the issue of a permit to import an air pistol carbine conversion kit may require the applicant to produce for examination and testing samples of any air pistol carbine conversion kit of the kind referred to in the application that the member of the Police considers necessary.</p> <p>(2) The Commissioner may grant an application for the issue of a permit to bring or cause to be brought or sent into New Zealand an air pistol carbine conversion kit only if the Commissioner is satisfied that the application is made by an applicant who intends to personally use the kit as a member of an airsoft or paintball club that is affiliated with a national airsoft or paintball organisation.</p> <p>(3) Any permit issued under this section is personal to the person to whom it is issued and may not be transferred to any other person.</p>		

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	<p>Section 18AAB: inserted, on 25 June 2020, by section 30 of the Arms Legislation Act 2020 (2020 No 23).</p> <p>18AAC Revocation and validity of permit to import</p> <p>(1) A permit issued under section 18, 18AA, or 18AAB may be revoked at any time by a commissioned officer of Police.</p> <p>(2) A permit issued under section 18 or 18AA is automatically revoked if—</p> <p>(a) the permit was issued to a licensed dealer and the dealer’s licence, or any endorsement on the dealer’s licence required for the issue of the permit, is revoked or suspended or has expired or been surrendered; or</p> <p>(b) the permit was issued to any other person who, for the purposes of the issue of the permit, was required to hold a firearms licence, and that person’s firearms licence, or any endorsement on the firearms licence required for the issue of the permit, is revoked or suspended or has expired or been surrendered.</p> <p>(3) Subsection (4) applies if—</p> <p>(a) a permit is issued under section 18 or 18AA to a licensed dealer permitting the dealer to import 1 or more items on behalf of a person; and</p> <p>(b) any person referred to in paragraph (a) who is required to hold a firearms licence, or a firearms licence bearing an endorsement, to possess an item being imported on their behalf—</p> <p>(i) has their licence or endorsement revoked or suspended; or</p> <p>(ii) allows their licence or endorsement to expire; or</p> <p>(iii) surrenders their licence.</p> <p>(4) If this subsection applies, the permit issued to the licensed dealer is invalid to the extent that it permits the importation of an item on behalf of a person referred to in subsection (3)(b) in respect of which the person required the licence or endorsement.</p> <p>18AAB Issue of permit to import air pistol carbine conversion kits</p> <p>(1) A member of the Police to whom an application is made for the issue of a permit to import an air pistol carbine conversion kit may require the applicant to produce for examination and testing samples of any air pistol carbine conversion kit of the kind referred to in the application that the member of the Police considers necessary.</p> <p>(2) The Commissioner may grant an application for the issue of a permit to bring or cause to be brought or sent into New Zealand an air pistol carbine conversion kit only if the Commissioner is satisfied that the application is made by an applicant who intends to personally use the kit as a member of an airsoft or paintball club that is affiliated with a national airsoft or paintball organisation.</p> <p>(3) Any permit issued under this section is personal to the person to whom it is issued and may not be transferred to any other person.</p> <p>Section 18AAB: inserted, on 25 June 2020, by section 30 of the Arms Legislation Act 2020 (2020 No 23).</p>		

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	<p>18AAC Revocation and validity of permit to import</p> <p>(1) A permit issued under section 18, 18AA, or 18AAB may be revoked at any time by a commissioned officer of Police.</p> <p>(2) A permit issued under section 18 or 18AA is automatically revoked if—</p> <p>(a) the permit was issued to a licensed dealer and the dealer’s licence, or any endorsement on the dealer’s licence required for the issue of the permit, is revoked or suspended or has expired or been surrendered; or</p> <p>(b) the permit was issued to any other person who, for the purposes of the issue of the permit, was required to hold a firearms licence, and that person’s firearms licence, or any endorsement on the firearms licence required for the issue of the permit, is revoked or suspended or has expired or been surrendered.</p> <p>(3) Subsection (4) applies if—</p> <p>(a) a permit is issued under section 18 or 18AA to a licensed dealer permitting the dealer to import 1 or more items on behalf of a person; and</p> <p>(b) any person referred to in paragraph (a) who is required to hold a firearms licence, or a firearms licence bearing an endorsement, to possess an item being imported on their behalf—</p> <p>(i) has their licence or endorsement revoked or suspended; or</p> <p>(ii) allows their licence or endorsement to expire; or</p> <p>(iii) surrenders their licence.</p> <p>(4) If this subsection applies, the permit issued to the licensed dealer is invalid to the extent that it permits the importation of an item on behalf of a person referred to in subsection (3)(b) in respect of which the person required the licence or endorsement.</p> <p>18A Expiry of permits to import</p> <p>Unless sooner revoked under section 18(4), a permit issued for the purposes of section 16(1) shall expire 12 months after the date on which that permit was issued.</p>		
<p>Theme 5 – Compliance, offences, and penalties</p>	<p>27 Surrender and revocation of firearms licence</p> <p>(1) A person may at any time surrender their firearms licence to a member of the Police.</p> <p>(2) A commissioned officer of Police may, by written notice, revoke a firearms licence if, in the opinion of the officer,—</p> <p>(a) the holder of the licence is not a fit and proper person to be in possession of a firearm or an airgun; or</p> <p>(b) the holder of the licence has failed or refused to secure any arms item or ammunition in the person’s possession, in accordance with regulations made under this Act; or</p> <p>(c) access to any firearm or airgun in the possession of the holder of the licence is reasonably likely to be obtained by any person—</p> <p>(i) whose firearms licence has been revoked on the ground that they are not a fit and proper person to be in possession of a firearm or airgun; or</p>	<p><i>Complexity of regime</i></p> <p>If you are a licence holder, what has been your experience with understanding your legal obligations in the Act?</p> <p>Do you think current offences and penalties are contributing to public safety? If yes, how?</p> <p>What are your views on the current offences and penalty levels in the Act? Are they too high? Too low?</p>	<p>Background</p> <ul style="list-style-type: none"> - Since 2019, there has been an extension of the ability for Police to conduct warrant-less searches. These have been targeted at illegal firearm owners (i.e. ability to search premises where a person with a Firearms Prohibition Order is) but then also capture by design, legal firearm owners. - An increase in penalties for certain offences could mean (unless it is explicit otherwise) that a warrant would be required for connected searches. The danger is that LFOs are then caught by the higher penalties as well. <p>Suggestions to consider in your answer</p> <ul style="list-style-type: none"> - Licences, particularly for those with multiple endorsements, do not have all of the information on permitted activities. This is in part due to

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	<p>(ii) who, in the opinion of a commissioned officer of Police, is not a fit and proper person to be in possession of a firearm or airgun.</p> <p>28 Effect of revocation or surrender of firearms licence</p> <p>(1) A person whose firearms licence is revoked must immediately surrender their licence to a member of the Police.</p> <p>(2) On the revocation or surrender of a firearms licence, the holder of the licence—</p> <p>(a) ceases to be licensed to possess any arms item or ammunition under the licence or any endorsement on it; and</p> <p>(b) must, on demand, deliver any arms item or ammunition in their possession or under their control to a member of the Police.</p> <p>(3) A person whose firearms licence is revoked or surrendered may at any time within 3 months, or any longer period that the Commissioner may allow, sell or otherwise dispose of any arms item or ammunition in their possession or under their control to a person approved for the purpose by a member of the Police.</p> <p>(4) Subject to subsection (3), any arms item or ammunition delivered to a member of the Police under this section may be detained for any period that the Commissioner thinks fit, or may, in the discretion of the Minister of Police, become the property of the Crown, free and discharged from any right, title, or interest possessed by any other person.</p> <p>(5) The Minister of Finance must pay out of a Crown Bank Account compensation in respect of any arms item or ammunition that is delivered to a member of the Police under this section and that has become the property of the Crown.</p> <p>(6) If a person whose firearms licence is revoked or surrendered also holds a dealer’s licence, their dealer’s licence is immediately revoked and must be surrendered with the person’s firearms licence.</p> <p>(7) A person commits an offence and is liable on conviction to a term of imprisonment not exceeding 6 months, or to a fine not exceeding \$10,000, if the person, without reasonable excuse, contravenes subsection (1) or (2)(b).</p> <p>33 Revocation of endorsements</p> <p>(1) If, in the opinion of a commissioned officer of Police, any person whose licence bears an endorsement made under section 30,—</p> <p>(a) would not, on an application made under section 29, be entitled to have that endorsement made on his firearms licence; or</p> <p>(b) has failed to observe any conditions of the endorsement,—</p> <p>that commissioned officer may, by notice in writing under his hand, revoke that endorsement, and that person shall, upon demand, surrender his firearms licence to a member of the Police for cancellation of the endorsement.</p> <p>(2) An endorsement in respect of a pistol shall not be revoked under subsection (1) if—</p> <p>(a) the holder of the firearms licence has owned that pistol since before 16 May 1969 and, immediately before that date, was registered under section 9 of the Arms Act 1958 as the owner of that pistol; and</p>	<p>Do you think there are other ways we could encourage compliance?</p> <p>Do you have any other views on the offences and penalties regime in the Act?</p>	<p>size of the licence but the information could be more readily provided in a form that could be relied upon by the licence owner (i.e. a licence book).</p> <ul style="list-style-type: none"> - Penalties should be risk based. For example, the penalty for failure to update the registry could be subject to a \$10,000 fine. This is not an intentional failure but could be accidental or administrative. - Any new offences or penalties should be stated in legislation, not by regulation. <p>Revocation Background</p> <ul style="list-style-type: none"> - Currently a Police officer can revoke a licence based on their ‘opinion’ that a person is not fit or proper, has not met the secure storage requirements, or that their firearms could be accessed by someone that does not meet the fit and proper test. (s27) - COLFO has seen numerous examples of this occurring where there is no imminent danger and that incorrect facts are held by Police. The LFO often only has 90 days to provide information in defence including affidavits, and medical assessments. This can be a very costly process. - The consequences of revocation are significant. Section 49A indicates that a person with a revoked licence may not be in the possession of a firearm. It is unclear whether this means that they cannot use a firearm under the supervision of a LFO (in part due to ambiguity of the definition of “possession”). <p>Suggested considerations for your answer:</p> <ul style="list-style-type: none"> - COLFO understands the need for immediate revocation when there is a serious threat of harm to a person, however when this does not exist, revocation decisions should be made by an independent authority, such as judge. - If you have examples of where revocation has been unfairly notified and it has caused harm or difficulty, please include it.

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	<p>(b) the pistol, although less than 762 millimetres in length, has not been reduced below that length since 15 May 1969 and is not designed or adapted to be held and fired with 1 hand.</p> <p>(3) On the revocation of an endorsement pursuant to this section the holder of the firearms licence shall cease to be entitled to have possession of a pistol or a restricted weapon, as the case may require, whether or not the firearms licence is surrendered pursuant to subsection (1).</p> <p>(4) The provisions of this section are in addition to the provisions of sections 27 and 28.</p> <p>60A Temporary suspension of licence pending possible revocation</p> <p>(1) A member of the Police may, by notice in writing to the holder of a firearms or dealer's licence, temporarily suspend the licence if satisfied that 1 or more of the following apply:</p> <p>(a) the holder is not a fit and proper person to be in possession of any firearm or airgun, which includes a case where—</p> <p>(i) the holder has failed or refused to secure any arms items or ammunition in the person's possession in accordance with regulations made under this Act; or</p> <p>(ii) the holder has failed to comply with any conditions imposed on their licence; or</p> <p>(iii) the holder has failed to comply with an improvement notice issued under section 60; or</p> <p>(iv) the member of the Police is so satisfied on the basis of a notice given under section 92 by a health practitioner; or</p> <p>(v) the licence has been seized under section 18 of the Search and Surveillance Act 2012:</p> <p>(b) the holder, being the holder of a dealer's licence, is not a fit and proper person to hold a dealer's licence:</p> <p>(c) access to any firearm or airgun in the possession of the holder is reasonably likely to be obtained by—</p> <p>(i) a person whose application for a firearms licence has been refused; or</p> <p>(ii) a person whose firearms licence has been revoked; or</p> <p>(iii) a person who, in the opinion of a member of the Police, is not a fit and proper person to be in possession of a firearm or an airgun or ammunition; or</p> <p>(iv) a person, other than the holder, whose firearms licence has been temporarily suspended.</p> <p>(2) A notice of temporary suspension of a licence must state—</p> <p>(a) the ground on which the notice is given; and</p> <p>(b) the licence that the notice applies to; and</p> <p>(c) that if the person also holds a dealer's licence, their dealer's licence will also be suspended while that firearms licence is suspended; and</p> <p>(d) the date on which the suspension begins; and</p>		

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	<p>(e) that the suspension is to enable the Police to consider revoking the licence on that ground; and</p> <p>(f) that the holder may, at any time before a day stated in the notice, make oral or written submissions on whether the licence should be revoked on that ground; and</p> <p>(g) that the suspension lasts until notice of the decision as to whether to revoke the licence is given to the holder but, if the notice is not given within 90 days after the suspension takes effect, the suspension ends with the close of that 90-day period; and</p> <p>(h) that the effect of the notice is that the holder is treated as not holding the licence for the purposes of this Act until a final determination on revocation of the licence is made (<i>see</i> sections 60B and 60C); and</p> <p>(i) that the holder may commit an offence if the holder carries on any activities that require the holder to be licensed under this Act; and</p> <p>(j) that the holder may be required immediately or before a date specified by a member of the Police to surrender to Police the holder’s licence and the arms items and ammunition in the holder’s possession.</p> <p>(3) The day stated under subsection (2)(f) must not be sooner than, in the opinion of the Police, is reasonable to enable the holder to prepare and make submissions.</p> <p>60 Improvement notices</p> <p>(1) This section applies if a member of the Police reasonably believes that a person with a firearms or dealer’s licence or an ammunition seller is failing, has failed, or is likely to fail to comply with—</p> <p>(a) 1 or more applicable provisions of this Act or regulations made under this Act; or</p> <p>(b) any conditions on a licence, an endorsement, or a permit.</p> <p>(2) The member of the Police may issue an improvement notice that—</p> <p>(a) states the applicable provision or provisions, or condition or conditions, that the member of the Police reasonably believes the person is failing, has failed, or is likely to fail to comply with; and</p> <p>(b) requires the person to remedy the failure or prevent a failure from occurring; and</p> <p>(c) states the date by which the person is required to remedy the failure or prevent a failure from occurring.</p> <p>(3) An improvement notice must be in writing and be sent to the person by post or electronic means to their last known address.</p> <p>(4) The member of the Police may extend the time within which the person is required to remedy the failure or prevent a failure from occurring.</p> <p>(5) A person issued with an improvement notice must comply with the notice within the time specified in the notice (or within any extended time allowed by the member of the Police). <i>See</i> sections 60A and 60B for possible suspension and revocation of a licence if a person fails to comply with an improvement notice.</p>		

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	<p>62C Further provisions relating to appeals</p> <p>(1) Despite the fact that any appeal under section 62B may have been determined in favour of the appellant, any commissioned officer of Police, in the exercise of powers conferred on the officer by this Act, may, subject to the like right of appeal, revoke any licence or permit to which the appeal related, or any licence or permit granted in compliance with the decision of the District Court Judge on the appeal, on any sufficient grounds supported by facts or evidence discovered since the hearing of the appeal.</p> <p>(2) The decision of the District Court Judge on any appeal under section 62B is final and conclusive, subject to subsection (1) and to section 64.</p> <p>(3) No person is excused from complying with any of the provisions of this Act on the ground that—</p> <p>(a) the person has applied for a review under section 62 and the review is pending; or</p> <p>(b) the person has appealed under section 62B and the appeal or the decision on the appeal is pending</p> <p>63 Appeal to District Court Judge in respect of compensation</p> <p>The amount of compensation payable under any of the provisions of this Act in respect of any firearm, airgun, pistol, pistol carbine conversion kit, imitation firearm, prohibited magazine, prohibited part, restricted weapon, ammunition, explosive, or other property shall not in any case exceed the actual market value thereof, and in case of dispute shall be determined, upon application by way of originating application by a District Court Judge, whose decision, subject to section 64, shall be final.</p> <p>64 Appeal on a question of law</p> <p>(1) Where any party to any appeal under section 62B or to any application under section 63 is dissatisfied with the decision of the District Court Judge as being erroneous in point of law, he may appeal to the High Court on the question of law only.</p> <p>(2) Subpart 8 of Part 6 of the Criminal Procedure Act 2011 applies as far as applicable with the necessary modifications to every appeal under this section.</p>		
<p>Theme 6 – Cost-recovery</p>	<p>80 Activities that may be subject to cost recovery</p> <p>(1) The Minister of Police may recommend the making of a regulation under section 86 only if satisfied that the fee or charge concerned relates to an activity undertaken by the Police in accordance with this Act in relation to a person, shooting club, or shooting range.</p> <p>(2) The activities for which fees or charges may be imposed under section 86—</p> <p>(a) include—</p> <p>(i) processing an application for a firearms or dealer’s licence, including assessing whether the applicant is a fit and proper person;</p> <p>(ii) providing training and testing services in relation to obtaining a firearms licence;</p> <p>(iii) issuing any licence under this Act;</p>	<p><i>Setting fees and exemptions from fees</i></p> <p>What are your views on how fees are set or processed?</p> <p>Do you think any changes are required?</p>	<p>Suggested considerations for your answer:</p> <ul style="list-style-type: none"> - There needs to be a clear distinction between administrative cost vs enforcement costs. COLFO strongly support the principle that enforcement cost should not be recoverable, as is the case with enforcement of the law generally. For example, Police cannot charge to respond to 111 callouts. This reflects the broader principle that enforcement of the law is a benefit to the public at large. - Generally, the fee should be set at a reasonable level having regard to the cost of compliance with current regulations compared to safety benefits. There must be a proper apportionment between public and

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	<p>(iv) processing any application for an endorsement, a permit to possess, or permit to import:</p> <p>(v) issuing any endorsement, a permit to possess, or permit to import:</p> <p>(vi) undertaking inspections and compliance checks, including checks relating to any licence, endorsement, permit, certification, conditions, or improvement notices:</p> <p>(vii) providing testing of samples in relation to firearms, firearm parts, restricted weapons, parts of restricted weapons, magazines, pistol carbine conversion kits, air pistol carbine conversion kits, blank-firing guns, or ammunition:</p> <p>(viii) processing any application for approval or certification of a club or range:</p> <p>(ix) approving the manufacture for sale of arms items:</p> <p>(b) do not include—</p> <p>(i) the response of the Police to calls relating to potential offending; or</p> <p>(ii) the conduct of criminal investigations; or</p> <p>(iii) the prosecution of criminal offences.</p> <p>81 Criteria for cost recovery</p> <p>(1) The Minister of Police may recommend that regulations be made under section 86 only if the Minister is satisfied that,—</p> <p>(a) subject to the provisions of section 86, the fee or charge recovers no more than the actual and reasonable costs (including both direct and indirect costs) of the activity to which the fee or charge relates; and</p> <p>(b) the fee or charge for the activity or class of activities to which the fee or charge relates is generally obtained from the users or beneficiaries of the service or class of services to which the activity relates at a level commensurate, as far as practicable, with their use of the service; and</p> <p>(c) the costs of the activity to which the fee or charge relates are efficiently incurred; and</p> <p>(d) the relationship between the costs of the activity to which the fee or charge relates and the nature and duration of the activity is clear.</p> <p>82 Consultation</p> <p>(1) The Minister of Police may recommend that regulations be made under section 86 only if the Minister is satisfied that the Commissioner has done everything reasonable on the Commissioner’s part to consult the persons or organisations (or representatives of those organisations) that appear to the Commissioner to be affected or likely to be affected by the fee or charge.</p> <p>(2) The process for consultation must, to the extent practicable in the circumstances, include—</p> <p>(a) the giving of appropriate notice of the intention to make the regulation and of the contents of the proposed regulation; and</p> <p>(b) a reasonable opportunity for interested persons to make submissions; and</p> <p>(c) the adequate and appropriate consideration of those submissions.</p>		<p>private benefit, and care must be taken that the fee is not set at so high a level as to encourage non-compliance.</p> <p>The following is from COLFO’s submission on Cost Recovery Consultation in 2022. No decisions were made as a result of this consultation, nor do we know whether the government is still considering these options. However, please consider any that would affect your or your organisation:</p> <ul style="list-style-type: none"> - Reduction of licensing fees for first time applications to encourage entering the system. - LFOs should be treated equivalent to other licence holders. In this cost recovery, Police factored in cost of compliance. This is akin to driver licence costs including the cost of highway patrols. - A system should allow for subsidy of low-income applicants, and payment by instalment. This is consistent with MSD funding for driver licences. - COLFO’s view that dealers should be at the centre of the system, should be reflected in the fees imposed on dealers – particularly with the new 2019 requirements that require more frequent applications. - In the 2019 Cost Recovery document they proposed significant cost increases for museum curators who did not meet certain conditions (i.e. a member of Museums Aotearoa). COLFO strongly opposed creating barriers for collectors through the cost recovery system. - The consultation document did not recognise that the vast majority of theatrical armourers undertake activity as part of a community or community display such as Cambridge Armistice Day and Anzac commemorations - Endorsement fees were proposed to be higher as firearm items were ‘more valuable to criminals’. COLFO opposed this as LFOs already bear the cost of additional security. - COLFO did not oppose additional fees for inspection of particularly large collections, but this needed to be clearly defined. - The proposed increase in gun show fees represented a 2600% increase. Gun shows are one of the most transparent channels for firearm dealing and provide an education forum. They should be encouraged. - Import fees should provide concessions when the items are for non-commercial purposes, or to accommodation large quantities (i.e. dealers) where efficiencies are created for Police. <p>The total costs of administering firearms legalization should be reduced by direct benefits LFOs provide to all New Zealand for example:</p> <ul style="list-style-type: none"> • pest control; care of native flora and fauna;

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	<p>(3) A failure to comply with this section does not affect the validity of any regulations made under section 86.</p> <p>83 Methods of cost recovery</p> <p>(1) Regulations for the recovery of costs may provide for the following:</p> <p>(a) fixed fees or charges:</p> <p>(b) fees or charges based on a scale or formula or at a rate determined on an hourly or other unit basis:</p> <p>(c) the recovery by way of a fee or charge of estimated actual and reasonable costs expended in, or associated with, the performance of an activity:</p> <p>(d) fees or charges based on costs incurred from charges by third parties:</p> <p>(e) any combination (a</p> <p>(f) of the above.</p> <p>(2) Without limiting the way in which a fee or charge may be set, a fee or charge may be set at a level or in a way that—</p> <p>(a) is determined by calculations that involve an averaging of costs or potential costs:</p> <p>(b) takes into account costs or potential costs of activities that are not services to be provided directly to the person who pays the fee or charge, but are an indirect or potential cost arising from the undertaking of the activity in question in relation to a class of persons or all persons who use the service or class of services to which the activity relates:</p> <p>(c) takes into account indirect costs, which include the costs and potential costs of support, maintenance, and development associated with provision of the activity.</p> <p>84 Payment of fee or charge</p> <p>(1) A fee or charge prescribed by regulations made under section 86 is payable at the time prescribed in respect of a particular activity, whether that time is before, during, or after completion of the relevant activity.</p> <p>(2) All fees and charges prescribed by regulations made under section 86 and received by the Police or any other government agency must be paid into a departmental bank account.</p> <p>Compare: 2008 No 72 s 79F</p> <p>Section 84: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).</p> <p>85 Exemptions, waivers, and refunds</p> <p>(1) Regulations made under section 86 may provide for exemptions from, or waivers or refunds of, any fee or charge prescribed by regulations made under this Act, in whole or in part, in any class of case.</p> <p>(2) Regulations made under section 86 may authorise the Commissioner, as the Commissioner thinks fit in the circumstances specified in those regulations, to exempt, waive, or refund the whole or any part of a fee or charge prescribed by the regulations.</p>		<ul style="list-style-type: none"> • care of infrastructure such as huts and tracks huts (add your own examples) • The financial gains to the New Zealand taxpayer (from both volunteer and paid activities); • The savings to the New Zealand taxpayer for example the health budget due to the well-documented health and wellbeing benefits from outdoor activity and/ or participation in community activities. ▪ All general public benefits (as opposed to private benefits). <p>The FSA/ Police should be required to comply with the Office of the Auditor-General (“OAG”) guidance on cost recovery including the four Principles that is: equity, efficiency, justifiability; and transparency. The total costs of administering firearms legalization must not include any enforcement costs.</p> <p>As well as complying with the OAG guidelines and Principles, the total costs of firearms administration and the value of the benefits should be calculated by a competent professional who is <u>independent</u> of the FSA and Police and whose expertise should include qualifications in management/ costing accountancy and should have sector knowledge. A professional services firm that already provides services to FSA and/or Police is not independent.</p> <p>The above calculations, assumptions and data should then be independently audited by appropriately qualified people who also have sector knowledge. To be independent this firm cannot be the same professional services firm that carried out the calculations nor one that already provides services to FSA and/or Police.</p>

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	<p>(3) If regulations authorise the Commissioner to exempt, waive, or refund the whole or any part of a fee or charge,—</p> <p>(a) the instrument granting an exemption, waiver, or refund is secondary legislation (<i>see</i> Part 3 of the Legislation Act 2019 for publication requirements), unless it applies only to 1 or more named persons; and</p> <p>(b) the regulations must contain a statement to that effect.</p> <p>86 Regulations relating to cost recovery</p> <p>(1) The Governor-General may, by Order in Council on the recommendation of the Minister of Police made after consultation in accordance with section 82,—</p> <p>(a) make regulations prescribing fees or charges for specified activities in accordance with sections 79 to 83:</p> <p>(b) make regulations for the purposes of section 84:</p> <p>(c) make regulations for the purposes of section 85.</p> <p>(2) Regulations under this section are secondary legislation (<i>see</i> Part 3 of the Legislation Act 2019 for publication requirements).</p>		
<p>Theme 7 – Agencies that control the use and possession of firearms</p>	<p>88 Arms Advisory Group</p> <p>(1) The Minister of Police must establish an Arms Advisory Group (the advisory group) comprising a chairperson and up to 8 other members.</p> <p>(2) The purpose of the advisory group is to advise the Minister on matters that contribute to achieving the objectives of this Act, in particular, the safe use and control of firearms.</p> <p>(3) The advisory group may provide advice on any matter relating to firearms in New Zealand, including legislative proposals, policies for regulating New Zealand’s firearms regime, and the promotion of firearms safety.</p> <p>89 Operations of advisory group</p> <p>(1) The members of the advisory group must appoint a deputy chairperson from among their number at their first meeting.</p> <p>(2) The advisory group may determine its own procedure, subject to compliance with any relevant provisions of this Act and regulations made under this Act.</p> <p>(3) The advisory group must, as soon as practicable after the end of each financial year, provide the Minister of Police with an annual report of its proceedings and operations during that year.</p> <p>(4) The Commissioner must provide the resources and administrative support necessary to enable the advisory group to perform its functions.</p> <p>(5) (he members of the advisory group are immune from liability in civil proceedings for good-faith actions or omissions in pursuance, or intended pursuance, of the duties, functions, or powers of the group.</p> <p>90 Provisions relating to appointment of members of advisory group</p>	<p><i>Roles and responsibilities in the Arms Act</i></p> <p>What are your views on the role of the Minister’s Arms Advisory Group?</p>	<p>Background</p> <ul style="list-style-type: none"> - The Minister’s Arms Advisory Group was established in 2020. It does not have guaranteed places for certain organisations however the representation includes firearm related groups and anti-firearm lobby groups. These people are appointed in a personal capacity and included former Chair of COLFO, Michael Dowling and Gun Control NZ Co-founder Philippa Yazbek. <p>Suggestions to consider in your answer</p> <ul style="list-style-type: none"> - MAAG is an important way of providing stakeholder feedback directly to the Minister, rather than through officials who have their own policy agendas. - It should have an appointment power specified to get genuine experts, or trusted representatives. The first is so the body has legitimate authority, not only on the decisions it makes, but more importantly, to generate support and buy-in among shooting sports people and professional firearms users. If its composition is focussed on expertise, and mana within the community, then it will serve its vital communication function best – feeding information both ways. Up to inform the Minister and policy, and back down to generate more community trust and understanding.

Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
	<p>(1) The membership of the advisory group must comprise a balance of people from both the firearm-owning and the non-firearm-owning community, including people who are concerned about the mitigation of harm from firearms from a health perspective.</p> <p>(2) In appointing any member of the advisory group, the Minister of Police must have regard to the need for the advisory group to possess knowledge and experience in some or all of the following areas:</p> <ul style="list-style-type: none"> (a) New Zealand and international firearms regulatory systems: (b) public health and safety, particularly as it relates to firearms: (c) firearms research: (d) firearms safety and the use of firearms: (e) membership of any community organisation or group involved in firearms awareness, safety, or law reform: (f) any other matters the Minister considers relevant. <p>(3) A member may be appointed for a term of up to 3 years as specified in the notice of appointment and be reappointed in the same manner.</p> <p>(4) The Minister of Police must, by notice in the <i>Gazette</i>, notify the appointment of members and their terms of office.</p> <p>(5) A member is entitled to be—</p> <ul style="list-style-type: none"> (a) paid remuneration at a rate and of a kind determined in accordance with the fees framework; and (b) reimbursed for actual and reasonable travelling and other expenses in accordance with the fees framework. <p>(6) In this section, fees framework means the framework determined by the Government for the classification and remuneration of statutory and other bodies in which the Crown has an interest.</p> <p>91 Removal of members of advisory group</p> <p>(1) The Minister of Police may, if satisfied that there is just cause to do so, remove from office any member of the advisory group.</p> <p>(2) The removal must be made by written notice to the member.</p> <p>(3) The notice must state—</p> <ul style="list-style-type: none"> (a) the day on which the removal takes effect, which must not be earlier than the day on which the notice is received; and (b) the reasons for the removal. <p>(4) For the purposes of subsection (1), just cause includes misconduct, inability to perform the functions of office, neglect of duty, and breach of any of the determinations of the group regarding its operations and procedures (depending on the seriousness of the breach).</p>		<ul style="list-style-type: none"> - It should recognise that separate anti-gun comment on policy proposals is a completely different function from every-day maintenance of a healthy mutual working relationship between the Police and the leadership of shooting sport organisations, including dealers and other industry experts. - Have express powers for the advisory body to report directly to the Minister if it chooses, and not just the Commissioner of Police. It should have a budget that enables it to engage its own secretariat in case servicing by the Police becomes too compromising of its deliberations.

Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
		<p><i>The Firearms Safety Authority</i> What are your views on the FSA's roles and responsibilities? Are there any changes that you would recommend?</p> <p>What education and guidance should the FSA provide to help people understand risks associated with possession and use of firearms products and best practices?</p> <p>What are your views on the role of the Firearms Community Advisory Forum and the Arms Engagement Group?</p> <p>Do you think the FSA has been successful in reaching members of the firearms community with its education and compliance work?</p>	<p>Suggestions to consider in your answer</p> <ul style="list-style-type: none"> - Police should play no role in firearms licencing, import permits, permits to procure, regulations or any other administration process at all. The Police to have no more input into legislation or regulation than any other stakeholder, as they are conflicted. Their primary role will be enforcement only. Regulation and enforcement prosecution does not mix. ie. Like the VTNZ model. - The Arms Engagement Group should be more transparent. For example, its minutes should be publicly available and there should be a prohibition on dual memberships as is the case with MAAG and FCAF.
		<p><i>Roles and responsibilities of other government agencies</i> Which roles and responsibilities do you think should be retained by the Police within its law enforcement role?</p> <p>Are there roles and responsibilities which should be shared between the FSA and Police?</p>	<p>Suggestions to consider in your answer</p> <ul style="list-style-type: none"> - Police should be focused on criminal behaviour, not regulation of licensed firearm owners. It is highly unusual for policy and enforcement to be retained by the same entity. - There are no roles or responsibilities that should be shared. That would continue to muddy issues and lead to poor policy outcomes. COLFO understands the need for information sharing agreements between the two entities but that should be sufficient for Police to play an enforcement role. -
<p>Other matters (issues not included in discussion doc):</p>	<p>20 Restriction on possession of non-prohibited firearms</p> <p>(1) Except as provided in this Act or as otherwise provided in regulations made under this Act, no person shall have a non-prohibited firearm in his possession unless he is of or over the age of 16 years and is the holder of a firearms licence.</p> <p>(2) The holding of a firearms licence shall not in itself entitle any person to have a pistol or restricted weapon in that person's possession.</p> <p>(3) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 1 year, or to a fine not exceeding \$15,000, if the person, without reasonable excuse, contravenes subsection (1).</p>	<p><i>Are there any matters related to the firearms regulatory system that have not been covered in this document that are not out of scope that you have views on?</i></p> <p>Do you have any other views not covered in this document on how the Act protects public safety?</p>	<p>Suggestions to consider in your answer</p> <ul style="list-style-type: none"> - The 2019 and 2020 amendments to the Act significantly increased the power of the Minister to make regulation. This regulation does not have to go before Parliament and therefore receives much less scrutiny. It is recommended that these regulation making powers are scaled back and do not include the ability to further restrict items or create new offences.

Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
	<p>59AAA Marking of firearms</p> <p>(1) This section applies to all firearms, parts, pistol carbine conversion kits, and magazines possessed by firearms licence holders, including those manufactured in or imported into New Zealand, but does not apply to antique firearms.</p> <p>(2) Firearms, parts, pistol carbine conversion kits, and magazines to which this section applies must be marked to the extent provided in, and in accordance with, requirements set out in regulations made under section 74.</p> <p>(3) The Crown is not liable to pay compensation in respect of—</p> <p>(a) the loss of value in the case of any firearm, part, pistol carbine conversion kit, or magazine that results from it being marked in accordance with the regulations; or</p> <p>(b) the cost of marking the firearm, part, pistol carbine conversion kit, or magazine.</p> <p>Regulation making powers</p> <p>74 Regulations</p> <p>(1) The Governor-General may, from time to time, by Order in Council, make regulations for all or any of the following purposes:</p> <p>(a) regulating the issue, renewal, and replacement of permits and licences and the granting of endorsements:</p> <p>(b) (b) approval, certifications, and endorsements and of other applications under this Act, and requiring such applications to be supported by statutory declarations and by such other documents or information as may be prescribed:</p> <p>(ba) providing for photographs of licence holders to be affixed to or imaged into dealers' licences or firearms licences or both and prescribing requirements in relation to those photographs:</p> <p>(bb) providing criteria, not inconsistent with this Act, for finding that a person is not a fit and proper person to be in possession of a firearm or an airgun:</p> <p>(bc) providing criteria, not inconsistent with this Act, for finding that a person is a fit and proper person to be in possession of a firearm or an airgun:</p> <p>(c) providing for applicants for firearms licences to pass theoretical and practical tests as to their ability to handle firearms safely or to undergo courses of training designed to teach them to handle firearms safely:</p> <p>(d) exempting applicants or classes of applicants for firearms licences from passing tests prescribed under paragraph (c):</p> <p>(e) prescribing conditions to which permits, licences, certificates of approval, certifications, and endorsements shall be subject, or authorising the Commissioner to prescribe conditions of that kind:</p> <p>(ea) extending the expiry date of licences and endorsements in the event of a pandemic, an epidemic, or an emergency being declared under the Civil Defence Emergency Management Act 2002:</p>		

Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
	<ul style="list-style-type: none"> (f) [Repealed] (g) prescribing forms of applications, permits, licences, endorsements, registers, notices, and other documents required for the purposes of this Act, or authorising the Commissioner to prescribe or approve such forms, and requiring the use of such forms: <ul style="list-style-type: none"> (ga) prescribing the details that persons carrying on business are required under section 22E to enter in the registry relating to the sale or supply of ammunition: (gb) prescribing the particulars that are required to be included in annual reports of shooting clubs, including (but not limited to) finances, storage, safety, discipline, training, competitions, office holders, membership, participating non-members, attendance, and ratios of members who are licence holders, endorsement holders, or trained range officers to those who are not: (gc) prescribing the information and documents required to support an application under section 38D for approval of a shooting club: (gd) prescribing the information and documents required to support an application under section 38M for certification of a shooting range, including the types of firearms and ammunition for which the range is certified: (h) prescribing the particulars to be recorded by licensed dealers: (ha) making provision for the secure storage of a vital part removed from a prohibited firearm or restricted weapon to render it inoperable and prescribing precautions to be taken to prevent the theft or misuse of vital parts in the possession of any person or class of persons: (i) making provision for the security of any premises at which a licensed dealer carries on business and prescribing precautions to be taken to prevent the theft or misuse of firearms, airguns, pistols, prohibited items, restricted weapons, pistol carbine conversion kits, ammunition, and explosives in the possession of licensed dealers: (ia) making provision for the security of any premises at which an ammunition seller carries on business and prescribing precautions to be taken to prevent the theft or misuse of ammunition in the possession of ammunition sellers: (j) making provision for the security of premises at which any firearm or class of firearm is kept, and prescribing precautions to be taken to prevent the theft or misuse of firearms, airguns, pistols, prohibited items, restricted weapons, pistol carbine conversion kits, ammunition, and explosives in the possession of any person or class of persons: (ja) providing for 1 or more of the following in relation to the sale or hiring of any arms item and ammunition: <ul style="list-style-type: none"> (i) material that must be included in any advertising, promotion, or display of any arms item and ammunition: (ii) advice that must be provided about legal conditions and requirements that apply to the purchase, possession, and use of arms items and ammunition (such as the legal age of purchase, licence or endorsement requirements, safe handling, transport, and storage): 		

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	<ul style="list-style-type: none"> (iii) different requirements for different types of sale or hire activities carried out by dealers: (jb) providing for 1 or more of the following in relation to notices given by health practitioners for the purposes of section 92: <ul style="list-style-type: none"> (iv) the information that the Police must provide to a licence holder when notifying the holder that a report has been received from a health practitioner: (v) the period within which a licence holder must undergo a further assessment or surrender their licence, for the purposes of section 92(3): (vi) the kinds or classes of health practitioners who may make a further assessment under section 92 and any time limits or other requirements that apply to the assessment: (vii) (iv the responsibilities of a health practitioner who makes a further assessment: (k) specifying for the purposes of section 29 classes of persons who may be permitted to obtain endorsements permitting them to have possession of pistols or restricted weapons: (l) making provisions that relate to any marking required for any firearms, magazines, and parts with identifying markings: (la) declaring any firearm to be an antique firearm for the purposes of this Act: (lb) prescribing limits for the purposes of section 4A(1)(f) to (j): (lc) prescribing wild animals or animal pests for the purposes of section 4A(1)(i) and (j): (m) defining firearms either generally or for the purposes of any particular provisions of this Act: (n) applying any of the provisions of this Act to rifles, guns, or pistols of any calibre that are not firearms properly so called: (o) (excluding any firearms or ammunition or parts of firearms or restricted weapons from any of the provisions of this Act: (p) (enabling the Commissioner to direct that only certain members of the Police may issue permits or licences or grant endorsements under this Act: (pa) providing for any matters necessary or desirable for the efficient operation of the registry, including provisions that— <ul style="list-style-type: none"> (i) require licence holders or other persons to provide specified information to the Police for inclusion in the registry and specify the circumstances in which the requirement applies: (ii) specify the manner or form in which information is required to be provided to the Police for inclusion in the registry: (iii) impose additional requirements to be met for the purposes of the registry by persons described in section 4A who apply for— <ul style="list-style-type: none"> (A) consent to conduct business at a gun show under section 7A; or (B) a permit to import under section 18; or 		

Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
	<ul style="list-style-type: none"> (C) an endorsement under section 30B to possess a prohibited firearm; or (D) a permit to possess under section 35A: (iv) impose different requirements for different kinds of licences, conditions, or endorsements: (pb) without limiting paragraph (pa)(i), requiring specified persons to provide specified information to the Police in accordance with the regulations in relation to firearms, parts, and magazines that are not required to be marked with identifying markings (for example, antique firearms and firearms exempted from or not covered by regulations made under paragraph (l)): (pc) requiring specified particulars to be recorded in the registry for the purpose of section 94(1)(f): (q) conferring or providing for exemptions from any provision of any regulation made under this Act: (r) prescribing offences in respect of the contravention of or non-compliance with any regulations made under this Act, and the amounts of fines that may be imposed in respect of any such offences, which fines shall be an amount not exceeding \$2,000: (ra) providing, for the purposes of the orderly implementation of any Order in Council made under section 74A, for— <ul style="list-style-type: none"> (i) any exemptions from any provisions of this Act or the regulations made under this Act (subject to terms or conditions, if any); and (ii) any other transitional or savings matters: (rb) providing for matters not inconsistent with this Act that relate to the operation of the advisory group appointed under section 88, including provisions that— <ul style="list-style-type: none"> (iii) state the quorum necessary for the transaction of the group’s business: (iv) require members to disclose any direct or indirect interest in a matter on which the group is providing advice: (v) prohibit members from disclosing any information provided to them in confidence in their capacity as members of the group: (vi) enable the appointment of subcommittees: (rc) providing for matters not inconsistent with this Act that relate to the operation of the review process under section 62, including provisions that prescribe, or authorise the Commissioner to prescribe, the form of applications for a review under section 62: (rd) without limiting any class of persons who are authorised to do so under section 3, providing for other persons to be authorised to carry or possess firearms, airguns, pistols, prohibited magazines, prohibited parts, restricted weapons, pistol carbine conversion kits, ammunition, or explosives belonging to the Crown: (re) providing that any requirements mentioned in section 3(5)(a) to (d) do apply in relation to any firearms or other items regulated by or under this Act that are owned by the Crown, to the extent provided in the regulations: 		

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	<p>(s) providing for such matters as are contemplated by or necessary for giving full effect to this Act and for its due administration.</p> <p>(2) [Repealed]</p> <p>(3) Regulations under subsection (1)(pa) may be made only on the recommendation of the Minister of Police after being satisfied that the Commissioner has consulted the Privacy Commissioner about the proposed regulations.</p> <p>(4) Subject to subsection (3), regulations may be made under this section only on the recommendation of the Minister of Police after being satisfied that the Commissioner has done everything reasonable to consult persons or organisations (or representatives of those organisations) that appear to the Commissioner to be affected or likely to be affected by the regulations, except where the Minister is satisfied that in the circumstances it was not practicable to consult to that extent or to carry out any consultation.</p> <p>(5) No regulations made under subsection (1)(ja) may come into force earlier than 3 months after the date of their publication under the Legislation Act 2019 unless the Minister is satisfied that in all the circumstances there are reasons that justify an earlier commencement date and recommends accordingly.</p> <p>(6) Regulations under this section are secondary legislation (<i>see</i> Part 3 of the Legislation Act 2019 for publication requirements).</p> <p>(7) If regulations authorise a person to grant exemptions referred to in subsection (1)(q),—</p> <p>(a) an exemption is secondary legislation (<i>see</i> Part 3 of the Legislation Act 2019 for publication requirements), unless it applies only to 1 or more named persons; and</p> <p>(b) the regulations must contain a statement to that effect.</p> <p>74A Order in Council relating to definitions of prohibited firearm and prohibited magazine, and declaring prohibited ammunition</p> <p>(1) The Governor-General may, by Order in Council made on the recommendation of the Minister of Police,—</p> <p>(a) amend the description in section 2A of a semi-automatic firearm (except a small semi-automatic pistol) or pump-action shotgun that is a prohibited firearm;</p> <p>(b) amend the description in section 2B of a magazine that is a prohibited magazine;</p> <p>(c) declare any semi-automatic firearm (except a small semi-automatic pistol) or pump-action firearm of a stated name or description to be a prohibited firearm for the purposes of this Act;</p> <p>(d) declare any magazine of a stated name or description to be a prohibited magazine for the purposes of this Act;</p> <p>(e) declare any ammunition to be prohibited ammunition for the purposes of this Act.</p> <p>(2) An order under this section—</p> <p>(a) is secondary legislation (<i>see</i> Part 3 of the Legislation Act 2019 for publication requirements); and</p>	<p>Bringing in prohibited magazines and firearms from the grey market.</p>	<p>Registration via dealer- try and retain specialist dealers that are providing a service to the firearms community and the wider public by default. Hunting and Fishing or other retailers are not interested in dealing with these limited market firearms, you need to look after the SMALL dealers that work with the collector community and the dealers that are providing specialist auction services for the same collector community.</p> <p>Individual registration under the same conditions as a dealer</p> <p>Make it simple, don't expect to take items and retain them pending a decision, don't make it hard or it won't happen.</p> <p>Create a simple pathway for registration, a dealer amnesty (which is the current process) should be exactly that, an amnesty where declared items can be registered. These items should be presented for registration without any need to declare the source irrespective of how they came to be a grey market item (with the exception of stolen items).</p> <p>The public safety benefits for a simple registration pathway are plain and simple, previously grey market firearms will be brought into legitimacy, they will be stored securely in Police approved security with appropriately licenced individuals. This result is desirable as people will be encouraged to remove grey market firearms from circulation should they encounter them. One appropriately stored and owned firearm is one less that will potentially feed the black market.</p> <p>Scrap the prohibited ammunition regulations. There is no public safety enhancement here, importation can be controlled via permitting and consent would be required to import prohibited ammunition which would require "special reasons".</p>

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	(b) must be confirmed by an Act (<i>see</i> subpart 3 of Part 5 of the Legislation Act 2019).		
	<p style="text-align: center;"><u>OTHER ITEMS</u></p> <p>36 Offence to carry pistol, prohibited firearm, prohibited magazine, or restricted weapon without authority</p> <p>(1)No person shall carry a pistol, prohibited firearm, prohibited magazine, or restricted weapon in any place beyond the curtilage of his dwelling, save under and in accordance with the conditions endorsed on his firearms licence by a member of the Police.</p> <p>(2)Any such endorsement may be at any time be revoked by any commissioned officer of Police.</p> <p>(3)A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding \$10,000, if the person, without reasonable excuse, contravenes subsection (1).</p> <p>(4)[Repealed]</p> <p>(5)It is a good defence to a prosecution for an offence against subsection (3) if the defendant proves—</p> <p>(a)that he is the holder of a firearms licence; and</p> <p>(b)that he has owned the firearm to which the charge relates since before 16 May 1969; and</p>	<p>Compensation</p> <p>Why has this now been reinterpreted by FSA?</p>	<p>There is a need to enshrine compensation in law, remembering how firearms licence holders were treated on prohibited ammo in SOP408. This has paved the way for uncompensated confiscation. This is something that needs serious consideration.</p> <p>Compensation should be at actual value, not a value which is then written down by depreciation. Compensation must include the facility for independent valuations. This needs to apply to all “ arms items” and ammunition. Including pushing the envelope on the expense of safes, gun rooms and security setups, which is a significant investment which goes hand in hand with firearms ownership and increases with the additional security requirements required for higher classifications of firearms . This is a future proofing initiative.</p> <p>Another example of FSA reinterpreting legislation that has been around for many years. FSA now believe there is no condition attached to a C endorsement that allows a person to take their C endorsed firearms along to a gun show, deliver it to a dealer, take it to a gunsmith for repair, take it to a fellow collector for the purpose of sale, trade or study, Following this logic, holders of a pest controller endorsement couldn’t take their rifles beyond there dwelling to use for their intended purpose as they are prohibited firearms. Of course a person could obtain a permit to carry, however with the proposed implementation of the Ceast Recovery Act that would cost \$1050 each time you wanted to take it to an event.</p> <p>Submit that there should be no requirement for a person with an endorsed firearm to obtain a permit to carry to take their firearms to any gun show, deliver it to a dealer, take it to a gunsmith for repair, take it to a fellow collector for the purpose of sale, trade or study, take it to a theatrical reenactment or film location.</p>

Themes	What does the Arms Act currently say? (All references to section and parts are to the current Arms Act + regulations)	Discussion document questions	Suggested answer
	<p>(c)that, immediately before 16 May 1969, he was registered under section 9 of the Arms Act 1958 as the owner of that firearm; and</p> <p>(d)that, although that firearm is less than 762 millimetres in length, it has not been reduced below that length since 15 May 1969 and is not designed or adapted to be held and fired with 1 hand.</p> <p>Compare: 1958 No 21 ss 13, 23A; 1974 No 68 s 8</p> <p>Section 36 heading: replaced, on 25 June 2020, by section 61(1) of the Arms Legislation Act 2020 (2020 No 23).</p> <p>Section 36(1): amended, on 25 June 2020, by section 61(2) of the Arms Legislation Act 2020 (2020 No 23).</p> <p>Section 36(3): replaced, on 25 June 2020, by section 61(3) of the Arms Legislation Act 2020 (2020 No 23).</p> <p>Section 36(4): repealed, on 25 June 2020, by section 61(4) of the Arms Legislation Act 2020 (2020 No 23).</p>		