

28 May 2018

Dear [REDACTED]

I am writing to you in response to your request dated 8 May 2018. Your request was made pursuant to the Official Information Act 1982 and specifically requested:

This has been circulating on social media:

If someone in your home is applying for their gun license and another person (not the applicant) in the house is taking medication for anxiety or depression, the person who is taking the medication has to provide a medical certificate for the applicant to get their license.

What is the exact policy here?

The wording you have quoted does not appear to be from a Police policy document.

I can confirm that the fit and proper status of a person who may have access to a firearms licence applicant's firearms will be relevant to whether a firearms licence should be issued to the applicant.

The relevant documents addressing this are:

- Section 24(2)(d) of the Arms Act 1983 which provides that a firearms licence is not to be issued to a person if, in the opinion of a commissioned officer of Police, access to any firearm or airgun in their possession is reasonably likely to be obtained by another person who, in the opinion of the commissioned officer of Police, is not a fit and proper person to be in possession of a firearm or airgun
- Paragraph 2.29 of the Police Arms Manual 2002, published on the Police website¹, which provides that a person could be considered not a fit and proper person to possess firearms if he or she has (among other things) exhibited signs of mental ill health or attempted to commit suicide or other self-injurious behaviour; and that not being fit and proper "also includes any person who has possession of firearms or airguns to which a person who is not considered fit and proper may obtain access".

It is for this reason that the vetting process for firearms licence applicants encompasses consideration of people in the applicant's household.

¹ <https://www.police.govt.nz/sites/default/files/publications/firearms-manual-2002.pdf>

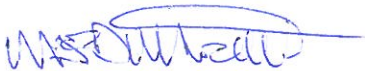
If police have concerns about an individual in the household who may have access to the firearms, then police will ask the applicant for further information about that individual. This is considered on a case by case basis.

It is a judgement call by the police vettor as to how much further information police may require. The final decision under section 24(2) is then made by a Commissioned Officer.

I trust you are satisfied with my response to your request. You have a right under section 28(3) of the Official Information Act 1982 to ask the Office of the Ombudsman to seek an investigation and review of my decision.

For your information, Police has developed a process for proactive release of information, so the response to your request may be publicly released on the New Zealand Police website.

Yours sincerely



Mike McIlraith
Acting Superintendent
Arms Act Service Delivery Group