

BRIEFING FOR THE MINISTER OF POLICE			
Priority	<input type="checkbox"/> Urgent <input checked="" type="checkbox"/> Time-Sensitive <input type="checkbox"/> Routine The attached Cabinet paper is intended to be lodged by 10am Thursday 4 March 2021		
Title	Arms Act 1983: Release of public consultation document for regulations		
Date	16 February 2021	Ref	BR/21/18

Executive summary

- This briefing asks you to:
 - Consult** your Ministerial colleagues (and caucus, if you consider that appropriate) on the attached Cabinet paper and public consultation document proposing new regulations made under the Arms Act 1983;
 - Following consultation, **refer** the Cabinet paper to Cabinet Office by 10am Thursday 4 March 2021 so that it may be considered by the Cabinet Social Wellbeing Committee at its meeting on Wednesday 10 March 2021.
- A draft press release is attached to this paper. Following Ministerial consultation, Police will provide talking points for your use at the Committee's meeting on Wednesday 10 March 2021.

Recommendations

Police recommends that the Minister of Police:

- Agree** to consult your colleagues on the attached Cabinet paper and public consultation document Yes/No
- Authorise** the lodgement of the attached Cabinet paper with the Cabinet Social Wellbeing Committee to consider at its meeting on Wednesday 10 March 2021 Yes/No

Minister's comments and signature

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Hon Poto Williams

Minister of Police

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Arms Act 1983: Release of public consultation document for regulations

Purpose

1. This briefing seeks your agreement that the attached Cabinet paper and public consultation document proposing new regulations made under the Arms Act 1983 be considered by the Cabinet Social Wellbeing Committee on 10 March 2021, following consultation with your Ministerial colleagues. You may also wish to consult your caucus on the proposed consultation.

Background

2. Recent changes in the Arms Legislation Act 2020 have created a need for the Arms Regulations 1992 to be updated. The administration of the Arms Act 1983 could also be improved by adjusting or clarifying existing regulations.
3. The aim of the public consultation document is to give stakeholders an opportunity to understand the impacts of the proposals and provide feedback to ensure the regulations are fit for purpose.
4. Police provided you with a draft of this public consultation document prior to the summer break. Some of the proposals from that earlier version of the document have been amended or removed as a result of cross-agency consultation.

Overview of the proposals in the public consultation document

5. New or revised regulations arising from the Arms Legislation Act 2020 will:
 - a. address the wider range of activities that would require a dealer's licence, which may mean different requirements for different activities, and for the different types of firearms that different activities involve;
 - b. cover dealers' record-keeping of transactions involving ammunition and their secure storage of ammunition;
 - c. cover records relating to possession of pistol carbine conversion kits, and the manufacture, or the marking of, major parts of firearms;
 - d. cover the requirements of ammunition sellers (who are not dealers).
6. Adjustment or clarification of current regulations will improve the administration of the Arms Act 1983. For instance:
 - a. the regulations on security precautions for firearms and ammunition in general could better reflect the standards now included in Police guidelines;
 - b. there is uncertainty in relation to what constitutes adequate security for firearms in vehicles;

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- c. some key parts that are major components of firearms may need to be marked at import or manufacture to better enable the monitoring of the extent of the civilian armoury.
7. Proposals to address recommendation 23 from the Royal Commission of Inquiry into the Terrorist Attack on Christchurch Mosques on 15 March 2019 (RCOI) related to the vetting process for applicants who have lived overseas for substantial periods of time are also included.
8. The amendments to the regulations will form the basis for forms, conditions on licences, permits, endorsements, and operational processes.

Consultation

9. The Cabinet paper and consultation document have been consulted with the Ministry of Justice, Ara Poutama Aotearoa the Department of Corrections, the Department of Internal Affairs, New Zealand Customs Service, Ministry of Transport, Te Puni Kokiri, Inland Revenue Department, the Treasury, the Department of the Prime Minister and Cabinet, Ministry of Foreign Affairs and Trade, Department of Conservation, Ministry of Primary Industries, the New Zealand Defence Force, Ministry of Culture and Heritage and Te Arawhiti. Feedback provided during this consultation has been reflected in amendments to the consultation document.
10. The proposals relating to recommendation 23 from the RCOI are also being discussed with officials from the Department of the Prime Minister and Cabinet who are leading the government response to the RCOI.
11. Police has provided an overview of the proposals in the consultation document to the Firearms Community Advisory Forum and the Forum has not raised any significant concerns. We would expect members of the Forum and the Interim Arms Engagement Group to submit on the consultation document through the same channels open to the public.

Public communications

12. Police proposes that you announce the release of the consultation document following Cabinet immediately following consideration on 15 March 2021 (assuming Cabinet approved release). A draft press release is provided for your consideration with the attached Cabinet paper. It is proposed that the consultation period will run for five weeks, from 16 March 2021 to 18 April 2021. This will allow sufficient time for submissions to be reviewed by Police and for the regulations to be drafted and finalised prior to the Arms Legislation Act provisions that come into force on 24 June 2021.
13. Police will also announce details of the five-week public consultation on its website. Police also proposes to send targeted communications to its dealer network, the Firearms Community Advisory Forum, Whakatūpato programme and Commissioner's Māori Focus Forum. The Ministerial Arms Advisory Group will have input into the proposals following its establishment (the membership is expected to be confirmed by APH on 10 March 2021).

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Proactive release

14. Police proposes you proactively release the Cabinet paper, alongside the consultation document. Police will provide your office with a package of proactive release material to enable this paper, the Cabinet paper and associated advice to be published within 30 working days of Cabinet decision.

Next steps

15. The attached Cabinet paper needs to be lodged with the Cabinet Office by 10am Thursday 4 March 2021 to be considered by the Cabinet Social Wellbeing Committee at its meeting on Wednesday 10 March 2021.
16. Following Ministerial consultation, Police will provide you with talking points for use at the Committee meeting on 10 March 2021.

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