

BRIEFING FOR THE MINISTER OF POLICE			
Priority	<input type="checkbox"/> Urgent	<input type="checkbox"/> Time-Sensitive	<input checked="" type="checkbox"/> Routine
Title	Arms safety and control: policy decisions on regulation of shooting clubs and shooting ranges		
Date	19 July 2022	Ref	BR/22/06CH

Recommendations

Police recommends that the Minister of Police:

- a) **agree** to consult your colleagues, between 25 July and 5 August, on the attached Cabinet paper seeking policy approvals for regulations relating to shooting clubs and shooting ranges, and for some minor and technical amendments to the Arms Regulations 1992 Yes/No
- b) following consultation and your approval, **refer** the Cabinet paper to Cabinet Office by 10am Thursday 18 August so it can be considered by the Cabinet Social Wellbeing Committee at its meeting on Wednesday 24 August 2022. Yes/No

Minister's comments and signature

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Hon Chris Hipkins
Minister of Police

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Arms safety and control:

policy decisions on regulation of shooting clubs and shooting ranges

Purpose

1. The attached Cabinet paper seeks policy approvals for amendments to the Arms Regulations needed to implement a regulatory framework for shooting clubs and shooting ranges, and to correct some minor and technical errors in some existing regulations. It also seeks authorisation to issue drafting instructions to the Parliamentary Counsel Office.
2. This briefing seeks your agreement to the paper being considered by the Cabinet Social Wellbeing Committee (SWC) on 24 August 2022, following consultation with your ministerial colleagues.

Recent changes to the Arms Act 1983 mean that all shooting clubs must be approved, and all shooting ranges certified by Police by June 2023. Regulations are needed to implement those changes.

Police recently carried out public consultation on proposals for regulations for shooting clubs and shooting ranges. We have now developed final proposals, following consideration of submissions and further analysis.

This briefing seeks your agreement to consult Ministerial colleagues on a Cabinet paper, setting out the final proposals. We recommend that the Cabinet paper be finalised and lodged for consideration by the Cabinet Social Wellbeing Committee on Wednesday 24 August 2022. This timetable will enable Police to have regulations in place by early 2023 so that clubs and ranges can be approved or certified by the statutory deadline of June 2023.

All shooting clubs and shooting ranges are now regulated

3. Amendments to the Arms Act 1983 that came into force on 24 June 2022 require shooting clubs to be approved and shooting ranges to be certified by Police. Regulations are needed to implement those amendments.
4. Before 24 June, pistol shooting clubs and their associated ranges were regulated, but somewhat indirectly through an arrangement with the sector organisation Pistol New Zealand. Other shooting clubs and shooting ranges were not regulated.
5. The new requirements mean that shooting clubs will be required to formalise their management and governance, to better achieve safety and responsibility in the use of firearms. Firearms users and the public will have greater assurance of the safe design and operation of shooting ranges.
6. The Briefing for the Incoming Minister outlined the regulation of shooting clubs and shooting ranges (pages 35—36). This briefing is the next step in developing the regulation of this sector.

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Regulations must be in place before regulated parties can apply

7. Transitional provisions allow clubs and ranges existing at 24 June 2022 to continue operating, provided an application for approval or certification is made within 12 months – i.e. by 24 June 2023.
8. No application can be made until the regulations are in force because applications must be made "in the manner prescribed by regulations made under this Act". Police has been working with affected parties to prepare for the regulations coming into force, which is expected to be in January 2023. Any delay in the regulations will further reduce the time in which existing clubs and range operators can make an application before the 24 June 2023 deadline.

Detailed regulations are needed

9. Regulations are needed to create a coherent regulatory framework for shooting clubs and shooting ranges, and to implement the recent amendments to the Arms Act. They need to cover:
 - a. the content and manner of application for approval of shooting clubs and certification of shooting ranges
 - b. shooting club operations, record-keeping and reporting
 - c. membership of pistol shooting clubs and participation in their shooting activities
 - d. secure storage of firearms and ammunition at club premises and shooting ranges
 - e. design and operation of shooting ranges
 - f. cost recovery for processing applications and undertaking inspections and compliance checks.

Cost recovery for clubs and ranges is being considered separately

10. The proposed regulations for clubs and ranges include cost-recovery provisions. These have been developed separately from the wider firearms-related cost-recovery proposals, so fees can be set when the clubs and ranges regulations come into force.

Police has consulted widely

11. The Arms Act requires that before you recommend the making of regulations, you are satisfied that the Commissioner of Police has done everything reasonable to consult persons or organisations affected or likely to be affected by the regulations.
12. In March Cabinet agreed to the release of a public discussion document containing detailed proposals for the regulation of shooting clubs and shooting ranges [SWC-22-MIN-0038]. Consultation took place over 6 weeks to 4 May.

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Police also held workshops with stakeholder groups with an interest in firearms use: the Firearms Community Advisory Forum, Arms Engagement Group and Range Certification Engagement Group. Your Arms Advisory Group also provided Police with comment.

There have been changes to some proposals

13. The public discussion document contained wide-ranging proposals, which Police used to seek stakeholder views. Police has analysed more than 1,000 written submissions and the feedback from workshops with key stakeholders. The feedback from stakeholder workshops was consistent with that of many submissions (most workshop participants also made submissions).
14. Police has also reviewed the proposals for regulation, taking a risk-based and proportionate regulatory approach and re-assessing the proposals against the need for a clear safety outcome while considering the regulatory burden on clubs and range operators.
15. The principal concerns raised by submitters and reflected in workshop discussions with stakeholders, have been addressed in the following ways:
 - a. *Age restrictions on participation in shooting activities under immediate supervision*: continuing to allow persons under 16 years old to use firearms in a club environment under the immediate supervision of a firearms licence-holder, as permitted under the Arms Act.
 - b. *Restrictions on club committee membership*: not requiring club committee members to hold a firearms licence.
 - c. *Compliance burden*: reducing the volume of information required in applications for approval of a shooting club and certification of a shooting range, including by not requiring duplication of information available through statutory reporting by incorporated societies or charities.
 - d. *Fees*: a lower level of cost recovery through fees, recognising the balance of private and public benefit and considering the risks of non-compliance in a sector that is largely unregulated, so Police has limited visibility of it.
 - e. *Records relating to officers on duty*: reducing some reporting requirements.
16. Your Arms Advisory Group had also indicated particular concerns about age restriction and the compliance burden on shooting clubs and shooting ranges
17. On the other hand, further analysis supports strengthening regulation in some areas:
 - a. preventing obviously unsuitable people from being on a shooting club committee
 - b. more comprehensive reporting to enable Police to monitor compliance with the Arms Act by pistol endorsement holders

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- c. strengthening the role of pistol shooting clubs by preventing ongoing casual participation in pistol shooting activities by people who do not obtain a firearms licence and pistol endorsement and become and remain a club member.
18. Police has carried out targeted consultation with Pistol New Zealand over the proposals detailed in 17 (b) and 17(c).

Correcting errors in the Arms Regulations

19. Police and the Parliamentary Counsel Office have identified errors in some existing regulations in the Arms Regulations 1992. These are listed in appendix four to the Cabinet paper. We propose that these errors be corrected at the same time as the regulations for shooting clubs and shooting ranges are drafted.

Consultation on the Cabinet paper

20. The Cabinet paper has been consulted on with the Treasury; Ministry of Justice; Department of Conservation; Ministry for Primary Industries; Department of the Prime Minister and Cabinet; the New Zealand Defence Force; Parliamentary Counsel Office; Ministry of Business, Innovation and Employment; Te Puni Kōkiri; Te Arawhiti Māori/Crown Relations; New Zealand Customs Service and the Ministry of Foreign Affairs and Trade.

Public communications

21. Police proposes that the new regulations be publicly announced once they have been drafted by the Parliamentary Counsel Office and approved by Cabinet. Police will undertake an active and comprehensive communication plan through its website and community links to clubs and range operators, as well as to the established firearms stakeholder groups.

Proactive release

22. Police proposes you proactively release the Cabinet paper (subject to any appropriate redactions) after Cabinet approves the regulations. This will be outside the normal 30 working day period after approval of the policy proposals but is necessary to allow uninterrupted drafting of the regulations.

Next steps

23. Subject to your consultation with colleagues and agreement, we propose that the attached Cabinet paper is lodged with the Cabinet Office by 10am Thursday 18 August 2022 so it can be considered by the Cabinet Social Wellbeing Committee at its meeting on Wednesday 24 August 2022.
24. This would require ministerial consultation to be completed by Friday 5 August.
25. This timetable will enable policy proposals to be considered by the Cabinet Social Wellbeing Committee on 24 August and, in turn, enable Police to have

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regulations in place by the end of 2022 or early 2023, so that clubs and ranges can be approved or certified by the statutory deadline of June 2023.

26. Police will provide you with talking points for use at the SWC meeting.



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