



# Cabinet

## Minute of Decision

*This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.*

### Arms Act 1983: Treating Firearms Licences as Current Where Applications Cannot Be Processed Before Expiry

Portfolio

Police

On 19 September 2022, following reference from the Cabinet Social Wellbeing Committee, Cabinet:

- 1 **noted** that the demand for firearms licence decisions is outstripping the ability of Police to process applications;
- 2 **noted** that delays in Police processing applications for new firearms licences made by licence holders before their previous licence has expired requires licence holders to transfer their firearms to another current licence holder or continue to possess their firearms unlawfully;
- 3 **noted** that the firearms community are calling for firearms licences to be extended and point to delays in licensing impacting on those who need firearms for their work or business, increasing risk of loss of trust and confidence in the firearms regulatory system, resulting in potential non-compliance, and reluctance to register firearms in the Registry when it comes into law in June 2023;
- 4 **noted** that the Arms Act 1983 does not provide for extending the expiry date of licences unless in the event of a pandemic, epidemic, or an emergency being declared under the Civil Defence Emergency Management Act 2002;

#### Applications for a firearms licence

- 5 **agreed** to amend the Arms Act 1983 to enable a previously held firearms licence to be considered current until a decision is made on an application, provided that application is made before the previous licence expires;
- 6 **noted** that the expiry date of the subsequent licence will continue to be set at ten years after the date the new licence is issued;
- 7 **noted** that the continued need for the above amendment will be assessed as part of a statutory review in 2026/2027;

**Expiry date of a dealer's licence**

- 8 **noted** that the Arms Act 1983 provides for:
- 8.1 a dealer's licence to be treated as current provided application for a new licence is applied for before the previous licence expires;
  - 8.2 the expiry date of the new dealer's licence is one year after the expiry date of the previous licence;
- 9 **noted** that the above process results in a dealer having to apply for their next licence almost immediately after receiving their new licence;
- 10 **agreed** that, to avoid the above situation and provide consistency with paragraph 6 above, the expiry date of a new dealer's licence be set twelve months after the date of issue of the new licence;

**Minor technical amendment**

- 11 **agreed** to progress a minor technical amendment to allow for the electronic issue of notices that will not be undertaken through the Registry, including notices proposing a Police visit to a shooting club or inspection of a shooting range;

**Next Steps**

- 12 **noted** that the amendments to the Arms Act 1983 to maintain currency of a firearm licence and to allow for the electronic issue of notices, both under specified circumstances, have not previously been included in the Legislation Programme;
- 13 **agreed** to the above amendments being progressed urgently and, subject to the Leader of the House obtaining the House Business Committee's agreement to a shortened select committee process, to be passed and enacted before the House rises in December 2022;
- 14 **invited** the Minister of Police to:
- 14.1 issue drafting instructions to the Parliamentary Counsel Office to amend the Arms Act 1983 to give effect to the above decisions;
  - 14.2 report back to the Cabinet Legislation Committee with a draft amendment bill;
- 15 **noted** that the implementation of the above amendments will not require additional funding;
- 16 **invited** the Minister of Police to report back to Cabinet in March 2023 on progress in processing licencing applications, including where improvements can be made;
- 17 **noted** that the Arms Act 1983 will be subject to a statutory review in 2026/27.

Rachel Hayward  
Acting Secretary of the Cabinet