

Office of the Minister of Police
Cabinet Social Wellbeing Committee

Arms safety and control: regulation of shooting clubs and shooting ranges

Proposal

- 1 This paper seeks policy approval for amendments to the Arms Regulations 1992 relating to shooting clubs and shooting ranges and to correct minor and technical errors in some existing regulations.
- 2 This paper also seeks authorisation to issue drafting instructions for regulations to the Parliamentary Counsel Office.

Relation to government priorities

- 3 This proposal is part of the Government's plan to strengthen the framework for the safe use and control of firearms [SWC-19-MIN-0063]. Making these regulations will contribute to the Government's priority: 'Support healthier, safer and more connected communities' in the Government's priorities plan 'Improving the wellbeing of New Zealanders and their families'.

Executive summary

- 4 Amendments to the Arms Act 1983 (the Act) that came into force on 24 June 2022 require shooting clubs to be approved and shooting ranges to be certified by New Zealand Police (Police).
- 5 The proposed regulatory framework providing oversight of all shooting clubs and shooting ranges established under the Act benefits both the public and clubs and ranges. Through the approval and certification processes, club committees, club members and range operators will be able to demonstrate to the public and prospective members that they are run responsibly and adhere to a high safety standard.
- 6 This paper seeks policy decisions for the design of the regulatory framework, and outlines proposed regulations to implement that framework.
- 7 The paper follows analysis of over 1,000 submissions as part of public consultation and workshops held with key stakeholders. Submissions were almost entirely from organisations representing firearm users and individuals who are firearm users or have an interest in firearm use. Particular concerns were raised over age restrictions, committee membership, the compliance burden, fees and records of officers on duty.
- 8 My proposals for regulations set out in this paper follow a re-assessment of the proposals consulted on against the need for a clear safety outcome, while considering the regulatory burden for clubs and ranges. They have been

informed by analysis of views expressed in the consultation. In many cases, my proposals represent modification of the proposals consulted on.

- 9 Following decisions on the proposals in this paper, and subject to Cabinet agreement, Police will instruct the Parliamentary Counsel Office to draft regulations.

Background

- 10 In June 2019, the Cabinet Social Wellbeing Committee (SWC) agreed that shooting clubs and shooting ranges be licensed, and that the principal requirements of the licensing regime be outlined in legislation with more detail set out in regulations [SWC-19-MIN-0063].
- 11 The Arms Legislation Act 2020 established the principal requirements for the regulation of shooting clubs and shooting ranges. Extending regulatory oversight to all clubs and ranges, is designed to enable well-run clubs and range operators to demonstrate their adherence to safety standards. I expect this adherence to protect such clubs and ranges from the negative impact of any one club member or range operator acting unlawfully or failing to meet required standards.
- 12 Regulations are now needed to implement the detail. This will be done through amendments to the Arms Regulations 1992 (the Regulations).
- 13 Regulation-making powers are set out in section 74 of the Arms Act 1983 (the Act). Section 74(4) provides that regulations may be made on the recommendation of the Minister of Police only after being satisfied that the Commissioner of Police (the Commissioner) has done everything reasonable to consult with individuals and organisations (or representatives of those organisations) that appear to be affected or likely to be affected by such regulations.
- 14 In March 2022, SWC agreed to the release of a public discussion document containing detailed proposals for regulation of shooting clubs and shooting ranges. It also invited the Minister of Police to report back to SWC once consultation was complete, to seek agreement to final proposals and authorisation to issue drafting instructions to the Parliamentary Counsel Office [SWC-22-MIN-0038]. This paper responds to that invitation.

Current situation

- 15 Before the new Part 6 of the Act (sections 38A—38X) came into force on 24 June 2022:
- 15.1 a holder of a target pistol shooting endorsement¹ on a firearms licence was required to be a member of a pistol club recognised by Police, which was mostly linked to a letter of agreement with Pistol

1 For brevity, a 'target pistol shooting endorsement' is referred to in this paper as a 'pistol endorsement'.

IN C O N F I D E N C E

New Zealand (an incorporated society), however the clubs themselves were not directly regulated;

- 15.2 there was no oversight or regulation of other shooting clubs;
 - 15.3 a holder of a pistol endorsement was authorised to use the pistol only for target shooting on a range approved by Police, with range inspections carried out by Pistol New Zealand;
 - 15.4 there was no oversight or regulation of other shooting ranges.
- 16 The Act now provides that:
- 16.1 all shooting clubs that use a shooting range for their shooting activities must be approved by Police;
 - 16.2 specified shooting clubs must be registered as an incorporated society;
 - 16.3 clubs must provide specified reporting to Police;
 - 16.4 all shooting ranges must be certified by Police;
 - 16.5 it is an offence to operate a shooting club that is not approved or shooting range that is not certified.
- 17 Transitional provisions in the amendments to the Act provide that:
- 17.1 pistol clubs and pistol shooting ranges recognised or approved by the Commissioner at 24 June 2022 are treated as approved or certified, and no application is required (though conditions can be attached to the approval/certification);
 - 17.2 other shooting clubs and shooting ranges existing at that date may continue to operate, provided an application for approval or certification is made by 24 June 2023.

Consultation

- 18 Police consulted on a public discussion document for six weeks from 22 March 2022. The document presented a wide range of options for regulation, to allow full consideration of potential regulatory approaches.
- 19 Police also conducted workshops about the proposals with advisory groups: the Arms Engagement Group, Firearms Community Advisory Forum and Range Certification Engagement Group. My Arms Advisory Group also provided input to Police.
- 20 I am satisfied that this consultation process meets the requirements of section 74(4) of the Act.

Response to submissions

- 21 Police received and analysed 1,038 submissions and feedback from workshops with key stakeholders.² Written submissions were almost entirely from organisations representing firearm users and individuals who are firearm users or have an interest in firearm use. Appendix 1 contains a high-level summary of submissions. A full analysis of submissions will be published on the Police website.
- 22 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 shooting clubs and shooting range operators. Police has taken care not to duplicate other regulatory regimes, such as that for incorporated societies.
- 23 The principal concerns raised by submitters have been addressed in the following ways:
- 23.1 Age restrictions on participation in shooting activities under immediate supervision. I agree that young persons under the age of 16 should continue to be able to take part in shooting activities organised by an approved shooting club under the immediate supervision of a licence-holder. Use of firearms by anyone of any age under the immediate supervision of a licence holder is currently permitted under the Act, and I do not propose to restrict this through regulations.
- 23.2 Restrictions on club committee membership. I recommend that there should be no requirement for shooting club committee members to hold a firearms licence. This will allow clubs to seek involvement and specialist skills as appropriate. The safe use and possession of firearms is regulated separately.
- 23.3 Compliance burden. I recommend that the information required of shooting clubs and shooting range operators be reduced to that with a clear regulatory purpose. Existing sources of information (such as a club's registration as an incorporated society) will be used where possible.
- 23.4 Fees. I recommend that fees for shooting clubs and shooting range operators cover half the direct cost to Police to undertake these new regulatory activities. This reflects the balance between public and private benefit to largely recreational firearm users, and mitigates the risk of non-compliance in a sector that has mostly not had regulatory oversight to date. There are safety outcomes from having an active and supportive club environment for people to participate in shooting

2 The analysis of submissions was qualitative, focussing on the views expressed rather than simply on the numbers for or against any particular proposal. Terms used in the analysis are few (less than 10% of submitters), some (1—25%), many (26—50%) and most (more than 50%).

activities, with ready access to shooting ranges whose design and operation have been certified against recognised safety standards.

23.5 Records relating to officers on duty. The Act requires a trained officer on duty to be at a certified shooting range whenever it is in use. I do not propose an additional express requirement about how to record who that individual is at any given time of the day.

24 Appendix 2 provides more detail of how the proposals in this Cabinet paper have been refined from those proposed in the discussion document.

Pistol shooting clubs

25 A fundamental principle of the Act is that possessing and using firearms is a privilege, not a right. This applies to all firearms including pistols.

26 Pistols pose particular risks because the ability to conceal them makes them desirable for illegal use, and large-capacity pistol magazines are not regulated as are large-capacity magazines for other types of firearms. The possession and use of pistols are already regulated more tightly under the Act and Regulations, and I propose a similar approach for the regulation of pistol shooting clubs and pistol shooting ranges.

27 To shoot a pistol, a firearms licence holder must have an endorsement on their licence, use the pistol only on a certified pistol range, be a member of a pistol club, and participate actively in an approved pistol shooting club. The details of how pistol shooting clubs operate is set out in a letter of agreement between Police and Pistol New Zealand, an incorporated society that is an umbrella organisation for the pistol target shooting sector.

28 This approach and the relationship with Pistol New Zealand have been useful, but not all approved pistol shooting clubs are affiliated to Pistol New Zealand. Now that all shooting clubs and shooting ranges are to be regulated, it is more appropriate to use regulations to set out requirements for pistol shooting clubs.

29 I consider that measures relating to pistol shooting clubs and ranges that are required for safety and regulatory reasons should be set in regulation. This approach is reflected in the following proposals.

Policy proposals for regulating shooting clubs and shooting ranges

30 This paper contains a lot of detail. To avoid repetition:

30.1 paragraphs 30 to 94 outline the intended outcome of the proposed policy decisions, with supporting context and rationale;

30.2 the recommendations set out in detail what is required in regulations to achieve those outcomes;

30.3 appendix 2 contains a summary of the discussion document proposals, feedback on them and corresponding policy proposals in this paper.

Shooting clubs

Application for approval (recommendations 3—7)

- 31 Most submitters considered the proposals in the discussion document to be more than required, and not necessarily aligned with the provisions in the Act.
- 32 I propose requiring less information in the application and attached as supporting documents than was proposed in the discussion document. The requirements will be limited to what is essential for regulatory purposes, and what is relevant to the Commissioner's assessment under s 38F of the Act when deciding whether to approve a shooting club.
- 33 I propose that there will be requirements applicable to all shooting clubs, and additional requirements for both pistol shooting clubs and any shooting club where ammunition or firearms are sold or supplied on its behalf.
- 34 Many shooting clubs are already registered as an incorporated society. The Act requires all pistol shooting clubs to be incorporated and now requires any shooting club for which ammunition or firearms are sold or supplied on its behalf to be registered as an incorporated society. Many submitters expressed concern about Police requiring information that is already submitted under incorporated societies legislation and is publicly available. On further analysis, Police agrees with that view. I propose that shooting clubs do not need to provide information to Police that is already available from their incorporated society reporting (or under the Charities Act if applicable).

Conditions of approval (recommendations 8—11)

- 35 I propose that regulations require all certificates of approval to be subject to these conditions:
- 35.1 a shooting club must notify the Commissioner if it ceases to operate, including through amalgamating with another shooting club;
- 35.2 a pistol shooting club must remain an incorporated society (this already applies to a club for which ammunition or firearms are sold or supplied on its behalf);
- 35.3 a pistol shooting club, or a shooting club for which ammunition or firearms are sold or supplied on its behalf, must notify the Commissioner if it ceases to be registered as an incorporated society.

Annual reports (recommendations 12—15)

- 36 The Act requires a shooting club to provide an annual report to the Commissioner. Most submissions on the discussion document thought the proposed content of the report was too extensive. Again, there was concern about duplication with incorporated society reporting requirements.

37 I propose requiring a reduced set of information in annual reports, and also not requiring duplication of information already required under the incorporated society regime that is publicly available.

38 As with applications for approval, I propose that there will be requirements for all shooting clubs and additional requirements for a pistol shooting club and a shooting club for which ammunition or firearms are sold or supplied on its behalf.

Membership of a pistol shooting club (recommendations 16—17)

39 In order to hold a pistol endorsement, a firearms licence holder must belong to a pistol shooting club approved by the Commissioner. It is difficult for Police to ensure that this is always complied with. If a pistol endorsement holder leaves a club, it is not always known whether they join another.

40 Because of the particularly high risk associated with pistol shooting, I propose that regulations require pistol clubs to report details of membership (this is already the practice under the letter of agreement with Pistol New Zealand). The obligation on clubs will be complemented by related obligations on the holder of a pistol endorsement.

Membership of other types of shooting club (recommendation 18)

41 I propose that a shooting club other than a pistol shooting club must keep a list of members and their firearms licence numbers (where applicable), which under existing provisions of the Act may be inspected by Police.

42 This proposal goes further than what was proposed in the discussion document, which was only to ask at the time of application for evidence that a shooting club maintains a membership register. Further analysis has shown the benefit of Police being able to obtain membership details if required for investigative purposes.

Membership of a shooting club committee (recommendation 19)

43 The discussion document proposed requiring either that all or a majority of members of shooting club committees hold a firearms licence. There was significant opposition to this, principally because it could starve committees of expertise (e.g. for secretary and treasurer) and diversity. Submitters generally thought that committees should choose their own management arrangements, and that safety in firearm possession and use was a separate issue from club management.

44 I can understand the difficulty some clubs might have in securing appropriate committee members. I also note that jurisdictions in Australia and the United Kingdom have been regulating shooting clubs for more than two decades, and these regulators do not require any or all club committee members to hold a firearms licence. Given the feedback on this matter and the absence of evidence linking licence holding of committee members with improved safety, I am not proposing that committee members require a firearms licence.

- 45 On the other hand, I am proposing that no-one may serve on the committee of a shooting club if they are disqualified from holding a firearms licence or have had their firearms licence revoked within the past five years. This is to prevent people who have been assessed not fit and proper to possess a licence from being involved in the management of a shooting club.
- 46 Non-licence-holding committee members could participate in shooting activities under immediate supervision of a licence holder but not if they have had their licence revoked in the last five years.
- 47 I also propose that no-one may be a member of the committee of a pistol shooting club if their pistol endorsement has been revoked. This is a new proposal, which recognises the additional safety requirements needed for using pistols and is also aimed at preventing people who have been assessed not fit and proper to hold a pistol endorsement from being involved in the management of a pistol shooting club.

Participation in club-organised shooting activities: other than pistol shooting clubs

- 48 A person must be at least 16 years of age to apply for a firearms licence. A person who does not hold a firearms licence, irrespective of their age, may still use a firearm under the immediate supervision of a firearms licence holder. This allows youth and other non-licence-holding members to participate in shooting activities. Involving young people in shooting club activities is considered important for the clubs to sustain interest and membership.
- 49 The discussion document proposed that for shooting clubs other than pistol shooting clubs, either no-one less than 16, or no-one less than 10, be permitted to take part in club-organised shooting activities under the immediate supervision of a licence-holder. This would still have allowed under-age use of a firearm under immediate supervision on a range or anywhere outside club-organised shooting activities.
- 50 There was strong opposition to this. Submitters said that no evidence had been put forward about problems with the status quo, and that involving young people in club shooting activities is beneficial in terms of firearm safety and social/personal development. They also claimed that it was inconsistent to prevent young people learning to use firearms in a controlled and supervised environment, while continuing to allow it in an unsupervised and uncontrolled environment.
- 51 The discussion document also proposed allowing persons over 16 who do not hold a firearms licence to take part in club-organised shooting activities under immediate supervision for only three months. There was also strong opposition to this, because such persons could continue to use a firearm under immediate supervision indefinitely both on a range and outside club organised shooting environment. .

- 52 Following further analysis, I agree with submitters that there is insufficient evidence to suggest that young people using firearms under immediate supervision at club-organised events has resulted in unsafe practices.
- 53 I propose retaining the status quo. For shooting clubs other than pistol shooting clubs, no restriction is introduced on persons who do not hold a firearms licence using a firearm under immediate supervision in a club-organised shooting activity.

Participation in club-organised shooting activities: pistol shooting clubs (recommendations 20—22)

- 54 The discussion document also proposed that no-one under 16 be able to take part under immediate supervision in shooting activities organised by a pistol shooting club. Many submitters expressed concern that this would end the youth membership pathway for pistol shooting clubs, which is the status quo even though it is outside the provisions of the terms of the letter of agreement with Pistol New Zealand.
- 55 The discussion document also proposed a graduated and time-limited progression pathway requiring people to obtain a firearms licence and pistol endorsement, and remain a member of a pistol shooting club.
- 56 I propose retaining the status quo: that pistol club members under 16 may still participate in scheduled shooting activities organised by a club under the immediate supervision of a club member holding a pistol endorsement.
- 57 I also propose that as youth members of the club turn 16, they may continue to participate in scheduled shooting activities organised by the club under the immediate supervision of a club member holding a pistol endorsement. This must be for a limited period and only as part of a time-bound progression to obtaining a firearms licence and obtaining a pistol endorsement, while remaining a member of the club.
- 58 I am also proposing that persons over 16, who do not have a firearms licence may only participate in a pistol shooting under immediate supervision of an endorsed licence holder for a limited period (a maximum of three times), and only as part of a time-bound progression requiring them to join that pistol club and obtain a pistol endorsement.³
- 59 This package of measures preserves the pathway for membership of pistol shooting clubs, while preventing those who do not hold a firearms licence and pistol endorsement from using pistols except as part of a genuine trial period.

³ This approach reflects the existing voluntary Letter of Agreement between Police and Pistol New Zealand which is currently adhered to by pistol clubs throughout New Zealand.

Recording participation in shooting activities organised by a pistol shooting club (recommendations 23—25)

- 60 Anyone holding a pistol endorsement must participate in activities organised by the club of which they are a member, on a pistol range on at least 12 days per year. It can be difficult to assess compliance with this requirement.
- 61 The discussion document proposed that clubs be required to keep records of participation in shooting activities. Most submitters supported this. The minority opposition was mostly because this was already the practice under the letter of agreement with Pistol New Zealand so they thought it did not need to be specified in regulation.
- 62 I propose continuing this proposal and requiring in regulation that a pistol shooting club provide these records to Police annually.
- 63 Holders of a pistol endorsement will still be responsible for meeting the existing requirements for participation in club activities. As with membership reporting, the obligation on the club will be complemented by a new requirement for pistol endorsement holders to report participation to Police annually. This will not be required until the arms registry allows endorsement-holders to directly input their information.
- 64 I also propose a technical amendment to the existing regulation 22 of the Regulations, to clarify what constitutes a club-organised shooting activity and what is needed to meet the requirement for participation in club activities.

Secure storage of ammunition and firearms on club premises (recommendations 26—27)

- 65 Anyone who possesses a firearm is responsible for the secure storage of that firearm at all times. In practice, though, some shooting clubs do store firearms on premises they use. This may be on behalf of individual members, or of 'club firearms' that are seen as club property even though they are in the possession of an individual firearms licence holder. (The Act is primarily concerned with the lawfulness of possession by a natural person.)
- 66 The discussion document proposed requiring that where firearms or ammunition are stored by a shooting club, the storage must meet standards specified in regulation. These standards would be similar to those required for a firearms dealer or ammunition seller, adapted as necessary for club circumstances.
- 67 Most submitters agreed that there should be secure storage requirements for firearms and ammunition held at a club, and that this should be codified in legislation. Opposition was often based on a mistaken assumption that all clubs would be required to provide secure storage, even if no firearms or ammunition were stored. Some maintained that storage should remain the responsibility of the firearms licence holder. Others were concerned about the cost of upgrading existing storage.

- 68 I support the proposal in the discussion document for secure storage as a sensible safety requirement. I also propose that pistols may not be stored overnight at a shooting club premises without the prior written authority of a member of the Police.

Sale, hire, loan or supply of ammunition or firearms on behalf of a shooting club (recommendations 28—29)

- 69 Under the Act, a club member selling or supplying ammunition on club premises or to a club member is not required to be an ammunition seller. A club member may sell, hire, lend or supply a firearm in similar circumstances without needing to hold a dealer's licence. In both cases the resulting revenue must be used for the benefit of the club.
- 70 The discussion document proposed requiring detailed records of ammunition that is bought, sold, or supplied on behalf of a club. There was strong opposition to this because of the administrative burden and perceived lack of an obvious safety outcome. Nevertheless, I propose that records still be required to support compliance with the intent of the Act as amended in 2020. Prior to this Police identified that gangs and organised crime groups were found to be holding large quantities of ammunition. The Arms Legislation Act introduced strict controls over the import, sale and supply of ammunition. While shooting clubs have been exempted from requiring a dealer's licence or recognised as an ammunition seller they were not exempted from maintaining records of sales in order to mitigate against the risk of clubs and club members being targeted as a source of black market ammunition. However, I have proposed simplified record keeping requirements to be simplified to differentiate between the sale/supply of ammunition to licence holders for their own use and the supply to non-licence-holders for use on a range under the immediate supervision of a licence holder.
- 71 The sale of firearms by licence holders acting on behalf of the club is expected to be recorded in the firearms registry being established by Police, so no regulations are needed to prescribe anything in relation to these club sales.
- 72 The loan, hire or supply of firearms on a range as part of club activities is a different matter. The discussion document proposed requiring clubs to record the price, make, model and identification number of every firearm used by any club member at a club-organised shooting activity, and the name and firearms licence numbers of everyone who used it (or supervised its use) during the day. Most submitters thought this was unnecessary, and provided good examples of how hard this would be to implement in practice. I propose not making any such regulations.

Shooting ranges

Application for certification and renewal of certification (recommendations 30—33)

- 73 Submitters generally supported the proposed manner of application and content of application for certification or renewal of certification.
- 74 There was strong opposition to requiring written confirmation from landowners and the relevant territorial authority and regional council. This was because landowner consent is often informal (e.g. from a farm manager, where the owner is a company or a body such as a Māori incorporation). Submitters also noted that ranges often operate under existing use provisions, and as many local authorities do not have specific rules around shooting ranges it is difficult to get positive confirmation that usage is permitted. I propose that instead of requiring written confirmation on these two matters, the applicant instead is required to declare that any necessary consents and permissions have been obtained.
- 75 Certification of a range normally lasts for 5 years, and renewal is treated in the same way as an application. The Act provides for a simpler process for renewing certification where there has been no significant change to the circumstances of the range within the previous 5 years. I am recommending a slightly more streamlined approach to such renewals than was presented in the discussion document.

Officer on duty (recommendation 34)

- 76 The Act requires that whenever a shooting range is in operation, a person is on duty who has been appropriately trained in shooting range safety management.
- 77 The discussion document proposed that such a person must have an endorsement for any type of firearm in use on the range at the time. There was strong opposition to this on the grounds that the officer on duty is required to be trained in shooting range safety management, rather than the use of any particular type of firearm. Submitters also pointed out that this provision would significantly restrict the ability of professional pest control operators from using a range to calibrate the sights of their prohibited firearms, as there are very few firearms licence holders with such an endorsement (about 370 in New Zealand, or 0.15% of all firearms licence holders). I agree with submitters that the focus should be on range safety management, and note the potential constraint on pest control operators. I propose to make no regulation on this matter.
- 78 The discussion document proposed requiring a shooting range operator to maintain a record of trained people who constitute the pool of potential officers on duty at their range. I support that proposal to ensure there is always an appropriate person available as officer on duty.

- 79 The discussion document also proposed requiring for each range a record of who is on duty at any time of any day. Submissions on this were strongly opposed, because of the lack of clear safety outcome and administrative burden. In some clubs all members are trained, and work in rotation during a shooting activity. Having considered the additional information in submissions, I propose no regulation on this matter.

Range standing orders (recommendations 35—39)

- 80 Range standing orders (RSOs) set out the way a shooting range must be operated. They are central to the safe operation of a shooting range, and act as the range's operations manual. I propose to confirm this central role through regulation.
- 81 The content of RSOs will be prescribed in regulation, and shooting range operators will be required to comply with RSOs. Shooting range operators will also have to ensure that all users of a range have ready access to the current version of the RSOs and are advised of any amendments. Shooting range operators will have to advise Police of any proposed changes to RSOs above a threshold of significance set out in regulation. This confirms proposals made in the discussion document, which were generally supported by submitters.

Secure storage of ammunition and firearms at a shooting range (recommendations 40—41)

- 82 I propose that if firearms or ammunition are stored at a shooting range, the shooting range operator will be required to provide secure storage that meets a specified standard. This complements the obligation on a firearms licence holder who is responsible for securely storing firearms in their possession no matter where they are. There was general support for this proposal. I am advised that some submitters appeared to base their submissions on a mistaken view that all ranges would have to provide storage whether firearms were stored or not, a view that storage is the responsibility of the firearms licence holder, or concern about the cost of upgrading storage.
- 83 Consistent with a similar proposal for shooting clubs, I also propose that pistols may not be stored overnight at a shooting range without the prior written authority of a member of the Police.

Shooting clubs and shooting ranges

Cost recovery (recommendations 42—47)

- 84 The Act sets the criteria for cost recovery (sections 79—86), and the detailed business case for the new firearm safety unit is based on appropriate cost recovery.
- 85 There was strong opposition to recovering the costs of processing applications for approval of a shooting club, certification of a shooting range and conducting compliance checks. This was principally on the grounds that

shooting clubs and shooting ranges provide a public benefit, so the Crown should bear the costs of regulation, and because the cost burden might cause some clubs and ranges to close.

- 86 I propose that the Crown recovers only half the cost of regulating shooting clubs and shooting ranges. This reflects the balance between private benefit to largely recreational firearm users and public benefit. It recognises the safety outcomes from having an active and supportive club environment for people to participate in shooting activities, with access to shooting ranges whose design and operation have been certified against recognised safety standards.
- 87 It also recognises that apart from the majority of pistol shooting clubs and ranges, there is no Police oversight of clubs and ranges. Partial cost recovery will mitigate the risk of non-compliance while Police gain visibility of the wider clubs and ranges sector⁴.
- 88 Under this proposal:
- 88.1 clubs other than existing pistol clubs will pay a one-off application fee, and all shooting clubs will pay an annual fee;
 - 88.2 there will be different fees for different types of shooting ranges, and a lower fee for renewal of certification where there has been no significant change to the range since application or the previous renewal.
- 89 The fees will apply when the regulations come into force. They will apply to all existing shooting clubs and shooting range operators required to apply for approval or certification by 24 June 2023, and any new shooting clubs or shooting range operators intending to commence operations after 24 June 2022.

Public list of approved clubs and certified ranges

- 90 The discussion document proposed that Police maintain a publicly-available list of approved shooting clubs and certified shooting ranges, so people could find out which clubs and ranges were approved or certified.
- 91 Feedback on this was mixed. Some submitters thought this would help promote clubs and give the public an assurance about clubs and ranges. Others were concerned about the security risks of publicising locations where firearms and ammunition might be stored, or suggested an opt-in provision.
- 92 Further analysis suggests the regulatory benefits are limited, and do not outweigh the administrative burden and security risks. Many shooting clubs are active in promoting their activities to prospective participants, so a

4 By way of comparison, there was significant non-compliance when the lifetime licence was reduced to a ten-year-licence. At that time barely 70% of lifetime licence holders applied for a ten-year licence.

publicly-available list is not necessary for that purpose. I propose no regulation on this matter.

Reporting (recommendation 48)

- 93 Police has carried out further analysis of the regulation of shooting clubs and ranges since the discussion document was published for consultation. Based on this analysis, I am also proposing that a shooting range operator and a shooting club be required to maintain a risk register available for inspection by Police. These will record incidents or safety breaches that do not result in injury or death, but that have the potential to do so in other circumstances. (Injuries or death caused by the use of a firearm must already be reported to Police.)
- 94 This proposal has clear safety objectives, and is similar to regulations in Australian jurisdictions.

Correcting errors (recommendation 51)

- 95 Police and the Parliamentary Counsel Office have identified minor and technical errors in some regulations in the Arms Regulations 1992, which are listed in appendix 4. I propose that these be corrected at the same time as the regulations for shooting clubs and shooting ranges are drafted.

Implementation

- 96 Police is establishing a branded business unit as a dedicated regulator of the Act [SWC-21-MIN-0166], which will be in operation from December 2022. Its responsibilities will include administering the approval of shooting clubs and certification of shooting ranges.
- 97 The firearms safety regulator can process applications for club approval and range certification only when the regulations are made, even though the requirement to be approved/certified came into effect in June 2022.

Financial implications

- 98 Establishing a new regulatory regime for shooting clubs and ranges will have financial implications for regulated organisations and persons, and for government.
- 99 The costs of operating the clubs and ranges approval/certification regime will partly be met by user fees, as outlined in paragraphs 84—89 above and recommendations 42—47.

- 100 s. 9(2)(f)(iv) OIA [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

- 101 The expected revenue and expenditure relating to regulation of clubs and ranges is very small in relation to overall firearms regulatory activity, and are estimated as:

Year	1	2	3	4	5
Fees received	\$254,295	\$21,557	\$20,931	\$20,325	\$19,737
Expenses	\$277,815	\$88,471	\$87,669	\$86,891	\$86,134
Surplus (+)/deficit(-)	-\$ 23,520	-\$66,915	-\$66,738	-\$66,566	-\$66,396

- 102 Further details are in the attached cost recovery impact statement.

Legislative implications

- 103 Regulations are needed to operationalise new Part 6 of the Act, which came into force on 24 June 2022.

Impact analysis

Regulatory impact statement

- 104 Treasury's Regulatory Impact Analysis team has determined that most of the policy proposals relating to the regulation of shooting clubs and shooting ranges in this paper are exempt from the requirement to provide a regulatory impact statement. The exemption is on the grounds that the proposals have no or only minor impacts on businesses, individuals, and not-for-profit entities.
- 105 However, the proposals relating to cost recovery levels for the regulation are not exempt, and a cost recovery impact statement has been completed and is attached as Appendix 3.
- 106 A regulatory impact analysis panel in Police has reviewed the regulatory impact statement, and considers that the information and analysis summarised in it *fully meets* Treasury's quality assurance criteria.

Climate implications of policy analysis

- 107 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to this proposal as the threshold for significance is not met.

Population implications

- 108 About 240,000 New Zealanders hold a firearms licence. As shooting clubs and ranges are largely unregulated, Police can only estimate their numbers. The best estimate is that there are about 380 shooting clubs and 1,400 shooting ranges in New Zealand. The pistol target shooting sector is much better known. The Commissioner has approved 97 pistol shooting clubs and certified 414 pistol shooting ranges, which are included in the overall estimate. Just over 4,000 New Zealanders hold a pistol endorsement on their firearms licence.

- 109 I expect improvements to the firearms regulatory system will improve public safety by preventing criminal misuse of firearms, consequently reducing the opportunities for people to become victims of firearms crime.

Population group	How the proposal may affect this group
Māori	Of the 59% of firearms licence holders who have their ethnicity recorded in Police data, 90% are New Zealand European and 7% are Māori. Based on a 2018 sample, Māori represented 30% of victims of firearms offences ⁵ where there was an identified victim whose ethnicity was known. By 2020 this had increased to 37%. ⁶
Gender	Approximately 91% of firearms licence holders are males. Determining how men and women are impacted as victims of firearm-related offences is difficult, as some offences have both male and female victims. However, from a sample of data covering 2011 to 2020, for firearm-related offences where there is a recorded victim (all genders) 66% had a recorded male victim and 43% a recorded female victim

Human rights

- 110 The proposals in this paper are not inconsistent with the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993.

Consultation

- 111 The following agencies were consulted in the development of this paper: 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.

Communications

- 112 Police has been actively engaging with the firearms community on proposed regulation for clubs and ranges since late 2021.
- 113 I plan to make an announcement about the new regulations when they are made. At the same time, Police will undertake an active and comprehensive communication plan through its website and community links to clubs and range operators.

Proactive release

- 114 This paper will be proactively released, subject to any appropriate redactions, after approval by Cabinet of the regulations. This is expected to be in

5 This only includes a sample of Police data on firearms-related offences more likely to have an identified victim and does not include possession-only offences. Only offences where a victim was recorded, and the victim's ethnicity was known, have been included.

6 In the 2018 census, Māori were recorded as 16.5% of the New Zealand population. Stats NZ estimates that this increased to 16.7% in 2020.

December, so outside of the 30 working days of the Cabinet decision on these policy proposals. This is to allow the uninterrupted drafting of the regulations.

Recommendations

The Minister of Police recommends that the Committee:

- 1 **note** that on 16 March 2022 the Cabinet Social Wellbeing Committee agreed to the release of a discussion document containing detailed proposals for regulation of shooting clubs and shooting ranges [SWC-22-MIN-0038];
- 2 **note** that the public discussion document was released on 23 March 2022, and that Police received 1,038 submissions that have been analysed and considered in formulating proposals for amendments to the Arms Regulations 1992;

Proposals for regulations: shooting clubs

Application for approval

- 3 **agree** that an application for approval of a shooting club may be made in writing in a hard copy form approved by the Commissioner of Police, by email (e.g. with a scanned copy of a completed form) or electronically through an internet site;
- 4 **agree** that all applications for approval of a shooting club must include;
 - 4.1 the name and contact details of the club;
 - 4.2 the name and details of a contact person for the club, with definitions and obligations similar to those for a 'contact person' under the Incorporated Societies Act 2022;
 - 4.3 the names of officers of the committee of the club, with 'officer' and 'committee' to have the same meaning as in the Incorporated Societies Act 2022;
 - 4.4 whether the club is an incorporated society;
 - 4.5 the New Zealand Business Number of the club (if any);
 - 4.6 the aims, objectives and proposed activities of the club;
 - 4.7 the shooting discipline(s) to be followed by the club;
 - 4.8 the shooting range(s) to be used by the club for its shooting activities;
 - 4.9 a declaration as to whether firearms or ammunition will be stored at club premises or at any range used by the club;
 - 4.10 any other relevant information that the Commissioner of Police reasonably requires;

IN CONFIDENCE

- 5 **agree** that all applications for approval of a pistol shooting club must additionally include:
 - 5.1 the names and firearms licence numbers, where applicable, of all members;
 - 5.2 details of the process for recording member and visitor participation in club-organised shooting activities;
 - 5.3 rules regarding primary membership where a person is a member of more than one pistol shooting club;
- 6 **agree** that all applications for approval of a shooting club must be accompanied by the following supporting information or documents: club constitution or rules; minutes of the last annual general meeting; names of officers; and evidence that the applicant is authorised by the club to make application;
- 7 **agree** that if the shooting club has provided any of the information specified in recommendations 5 to 7 inclusive to the Registrar of Incorporated Societies (or under the Charities Act 2005, as applicable) and it is publicly available, the club does not have to provide that information separately to Police as part of the application;

Conditions of approval

- 8 **agree** that a shooting club must notify the Commissioner of Police if it ceases to operate, including by amalgamating with another shooting club;
- 9 **agree** that a pistol shooting club must remain an incorporated society;
- 10 **agree** that the conditions on approval of a shooting club for which ammunition or firearms are purchased, sold or supplied on its behalf must include the provision of annual financial report approved in accordance with club rules that contains sufficient detail to provide a reconciliation of items purchased, held, sold or supplied by the club, and evidence that the revenue is used for the benefit of the club;
- 11 **agree** that a pistol shooting club, or a shooting club for which ammunition or firearms are sold or supplied on its behalf, must notify the Commissioner of Police if it ceases to be registered as an incorporated society;

Annual reports

- 12 **agree** that a shooting club must include in the annual report required under s 38K of the Arms Act 1983:
 - 12.1 any changes to the club's rules or constitution since it applied for approval or since the previous annual report, whichever is the later;
 - 12.2 any change to officers since it applied for approval or since the previous annual report, whichever is the later;

- 12.3 the minutes of the most recent annual general meeting;
- 13 **agree** that a pistol shooting club must additionally include in the annual report required under s 38K of the Arms Act 1983:
- 13.1 a list of names and firearms licence numbers, where applicable, of members;
- 13.2 a list of scheduled club-organised shooting activities, including their locations, held during the past year and planned for the next year;
- 14 **agree** that if ammunition or firearms are sold or supplied on behalf of a shooting club, the shooting club must additionally include in its annual report a financial report that contains sufficient detail to provide a reconciliation of items purchased, held, sold or supplied by the club, and evidence that the revenue is used for the benefit of the club as specified in 10 above;
- 15 **agree** that if the shooting club has provided any of the information specified in recommendations 13 to 15 inclusive to the Registrar of Incorporated Societies (or under the Charities Act 2005, as applicable) and it is publicly available, the club does not have to provide that information separately to Police as part of the annual report;

Membership of a pistol shooting club

- 16 **agree** that a pistol shooting club must:
- 16.1 maintain a current list of names and firearms licence numbers, where applicable, of members;
- 16.2 notify Police within 28 days of a member leaving the club including through resigning, having their membership terminated or not renewing their membership within 28 days of the end of the membership year;
- 16.3 notify Police within 28 days of a new member joining the club or a membership application being declined by the club;
- 17 **agree** that the holder of a pistol endorsement must notify Police within 28 days of becoming a member, or ceasing to be a member, of a pistol shooting club, or having a membership application declined by a pistol shooting club;

Membership of a shooting club other than a pistol shooting club

- 18 **agree** that a shooting club other than a pistol shooting club must maintain a current list of names and firearms licence numbers, where applicable, of members;

Membership of the committee of a shooting club

- 19 **agree** that:

I N C O N F I D E N C E

- 19.1 no person may be a member of the committee of a shooting club if they are disqualified from holding a firearms licence, or have had their firearms licence revoked within the past 5 years;
- 19.2 no person may be a member of the committee of a pistol shooting club if their pistol endorsement has been revoked within the past 5 years;

Participation in the shooting activities of a pistol shooting club

- 20 **agree** that a person under 16 years of age may participate in scheduled shooting activities organised by a pistol shooting club under the immediate supervision of a firearms licence holder only if they are a member of the club;
- 21 **agree** that when a member of a pistol shooting club reaches the age of 16 years, in order to continue participating in scheduled shooting activities organised by the club under the immediate supervision of a firearms licence holder they:
 - 21.1 must apply for a firearms licence and a pistol endorsement before reaching the age of 17;
 - 21.2 must remain a member of that pistol club;
 - 21.3 must pass an examination that 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 demonstrate knowledge of safe possession and use of a pistol and the obligations of a pistol endorsement-holder;
 - 21.4 may continue to participate in scheduled shooting activities organised by the club under the immediate supervision a club member holding a pistol endorsement only until the licence and endorsement are obtained or their application is declined;
- 22 **agree** that otherwise a person 16 years or older who is not a member of a pistol shooting club:
 - 22.1 may participate in scheduled shooting activities organised by the pistol shooting club which they are seeking to become a member of, up to a for a maximum of three times under the immediate supervision a club member holding a pistol endorsement on their New Zealand firearms licence;
 - 22.2 after participating in that club's scheduled shooting activities on no more than three occasions they must apply to become a member of that club and apply for a firearms licence:
 - 22.2.1 must apply for a firearms licence
 - 22.2.2 apply to become a member of the club where they had participated in scheduled shooting activities under immediate supervision

- 22.2.3 must apply for a pistol endorsement;
- 22.2.4 must pass the examination referred to in recommendation 21.3;
- 22.2.5 may continue to participate in scheduled club-organised shooting activities under the immediate supervision of a club member holding a pistol endorsement, only until the endorsement is obtained or their application is declined;

Recording participation in shooting activities organised by a pistol shooting club

- 23 agree that a pistol shooting club must:
 - 23.1 record the dates of participation by members and non-members, and their firearms licence numbers, in scheduled shooting activities organised by the club;
 - 23.2 provide these records of participation to Police within 28 days of the end of each year ending 30 June;
- 24 **agree** that r 22 of the Arms Regulations 1992 be amended to clarify that for a person to "participate actively in the affairs of the pistol shooting club by taking part in its activities, on the pistol range used by that club" they must participate in scheduled shooting activities organised by that club on the pistol ranged used by that club;
- 25 **agree** that the holder of a pistol endorsement must provide records of participation in scheduled shooting activities organised by the primary pistol shooting club of which they are a member to Police within 28 days of the end of each year ending 30 June, once the arms registry allows direct entry of this information by the endorsement-holder;

Secure storage of firearms or ammunition in relation to shooting clubs

- 26 **agree** that a shooting club, if firearms or ammunition are stored on premises used by the club, must ensure that secure storage facilities are available for the firearms or ammunition, and that these facilities meet a prescribed standard (which will be those prescribed for dealers in r 8A of the Arms Regulations 1992, adapted as necessary for a club environment);
- 27 **agree** that pistols may not be stored overnight at premises used by a shooting club without the prior written authority of a member of the Police;

Sale or supply of ammunition on behalf of a shooting club

- 28 **agree** that a shooting club, if ammunition is sold on behalf of the club, must keep a record of:
 - 28.1 the firearms licence number of the person selling the ammunition;

28.2 the firearms licence number of the person taking possession of the ammunition for their personal use or the use of a person using a firearm under their immediate supervision;

- 29 **agree** that record-keeping and record inspection provisions be applied to the sale or supply of ammunition referred to in paragraph 28 that are similar to those required of an ammunition seller (s 22E of the Arms Act 1983), and those records are kept for ten years and that if a club no longer holds a certificate of approval, the club must surrender the records to Police;

Proposals for regulations: shooting ranges

Application for certification and renewal of certification where circumstances have significantly changed within the previous 5 years

- 30 **agree** that an application for certification of a shooting range may be made in writing in a hard copy form approved by the Commissioner of Police, by email (e.g. with a scanned copy of a completed form) or electronically through an internet site;
- 31 **agree** that all applications for certification of a shooting range must include:
- 31.1 the name and contact details of the applicant;
 - 31.2 the name and contact details of the range operator if not an individual;
 - 31.3 the New Zealand Business Number (if any) of the range operator;
 - 31.4 the firearms licence number, if any, of the range operator if a natural person;
 - 31.5 the address and map coordinates of the range or ranges at a site;
 - 31.6 the number and names of ranges if several ranges are at that site;
 - 31.7 the use or proposed use for the shooting range: firearm type and maximum calibre;
 - 31.8 the dates of use if the shooting range is to be used only for a limited period;
 - 31.9 any other relevant information that the Commissioner of Police reasonably requires;
 - 31.10 a declaration that all necessary territorial authority and regional council consents have been obtained;
 - 31.11 a declaration that the landowner(s) for the shooting range and associated danger area has/have consented to the use of the land as a shooting range;

IN C O N F I D E N C E

- 31.12 a declaration that the applicant is aware of the need to seek Police approval of proposed deviation from the conditions of certification;
- 31.13 a declaration that the applicant is aware of the need to seek Police approval for proposed changes to range standing orders that will change, or are likely to change, the ballistic characteristics of the range or the safety or operation of the range;
- 31.14 a declaration that all information in the application is true and correct;
- 31.15 a declaration (if applicable) that the applicant is authorised to make the application on behalf of the shooting range operator;
- 32 **agree** that all applications for approval of a shooting range must be accompanied by the following supporting information or documents: the range standing orders for the shooting range, and a range inspection report by a shooting range inspector recognised by the Commissioner of Police;

Application for renewal of certification where circumstances have not changed significantly within the previous 5 years
- 33 **agree** that all applications for renewal of certification of a shooting range where the circumstances of the range have not changed significantly within the previous 5 years must include:
 - 33.1 the name and contact details of the applicant;
 - 33.2 the name and contact details of the range operator if that person is not the applicant;
 - 33.3 the New Zealand Business Number (if any) of the range operator;
 - 33.4 the firearms licence number, if any, of the range operator if a natural person;
 - 33.5 the address and map coordinates of the range;
 - 33.6 details of any changes made to the circumstances of the shooting range since application for certification or the previous renewal of certification, or a declaration that there have been no such changes;
 - 33.7 any other relevant information that the Commissioner of Police reasonably requires;
 - 33.8 a declaration that the applicant is aware of the need to inform Police of proposed deviation from the conditions of certification;
 - 33.9 a declaration that the applicant is aware of the of need to seek Police approval for proposed changes to range standing orders that will change, or are likely to change, the ballistic characteristics of the range or the safety or operation of the range;

33.10 a declaration that all information in the application is true and correct;

33.11 a declaration that applicant is authorised to make the application on behalf of the shooting range operator (if applicable);

Shooting ranges: officers on duty

- 34 **agree** that a shooting range operator must maintain a record of trained officers on duty who are used on that range to meet the requirements of s 38Q(1) of the Arms Act 1983;

Range standing orders

- 35 **agree** that a shooting range operator must have for a certified shooting range, range standing orders that include the mandatory headings set out in appendix 5 of the *New Zealand Police shooting range manual*;
- 36 **agree** that a shooting range operator must seek approval from Police for a proposed amendment to the range standing orders if the amendment will change, or is likely to change, the ballistic characteristics of the range or the safety or operation of the range;
- 37 **agree** that the amended range standing orders are applicable once Police have confirmed that the changes to the range standing orders do not require application for a variation in the conditions of certification;
- 38 **agree** that a certificate for certification of a shooting range granted under s 38P of the Arms Act 1983 is subject to the condition that the shooting range operator must comply with the range standing orders relevant to that range as supplied to Police in support of the application for certification or as amended later with the approval of Police;
- 39 **agree** that a shooting range operator must take reasonable and practicable steps to ensure that anyone who uses a certified shooting range must have ready access to the current version of the range standing orders, whether in paper or electronic form, and is advised when changes are made to the range standing orders;

Secure storage of firearms and ammunition in relation to shooting ranges

- 40 **agree** that if firearms or ammunition are stored at a shooting range, the shooting range operator must ensure that secure storage facilities are available for the firearms or ammunition, and that these facilities meet a prescribed standard (which will be those prescribed for dealers in r 8A of the Arms Regulations 1992, adapted as necessary for a range environment);
- 41 **agree** that pistols may not be stored overnight at a shooting range without the written authority of a member of the Police;

Proposals for regulations: shooting clubs and shooting ranges

Cost recovery

- 42 **note** that on 11 April 2022 Cabinet approved the Arms, Safety and Control initiative for Vote Police for inclusion in the 2022 Budget package, which included [CAB-22-MIN-129]:
- 42.1 approval to appropriate \$47.007 million in operating and capital funding to Vote Police in financial year 2022/23;
 - 42.2 an increase to the “Implementation of the Arms Legislation Act” tagged operating and capital contingency of \$161.392 million;
 - 42.3 a drawdown of \$7.1 million operating funding for 2022/23 for financial year from the existing tagged operating and capital contingency;
 - 42.4 an agreement that any further drawdowns for 2022/23 and 2023/24 would be subject to a report-back to the Minister of Finance and the Minister of Police on implementation progress to date, including development of the registry and the new fee schedule;
 - 42.5 direction to officials to report back to the Minister of Finance and the Minister of Police by 30 November 2022 with a detailed implementation plan that includes a timeline for the roll-out of a new fee schedule and revised costings in order to better understand the amount likely to be recovered from third-party revenue;
 - 42.6 an agreement that the drawdown from 2024/25 is contingent on the implementation of a revised fee schedule;
- 43 **note** that the proposed fees relating to shooting clubs and shooting ranges are set at an estimated 50% of the direct costs to Police to deliver the related regulatory activities to reflect the balance of private and public benefit arising from regulating the clubs and ranges sector, and to reduce potential non-compliance from a sector that has been largely unregulated;
- 44 **note** that fees for processing an application for certification of a shooting range include the cost of Police undertaking inspections and compliance checks;
- 45 **note** that a certificate of approval for a shooting club does not have to be renewed, and a club needs to pay a subsequent application fee only if it reapplies for approval;
- 46 **agree** that fees for shooting clubs will be (all amounts including GST):
- 46.1 processing an application for approval of a shooting club, \$140;

- 46.2 to cover the costs of Police compliance activities in relation to shooting clubs: \$40 per year for shooting clubs for which ammunition or firearms are sold or supplied on its behalf, and \$30 per year for other shooting clubs;
- 47 **agree** that fees for shooting range operators will be (all amounts including GST):
- 47.1 for processing an application for certification of a clay target range, \$400;
- 47.2 for processing an application for certification of a shooting range used for a limited time, \$250;
- 47.3 for processing an application for certification or renewal of certification of any other shooting range (other than for renewal where that has been no significant change to the circumstances of the range), \$400, plus \$45 for each additional range at a single range complex, up to a maximum of \$625 for 6 or more ranges at a complex;
- 47.4 processing an application for renewal of certification of a shooting range where there has been no significant change to the circumstances of the range within the previous five years, \$200;

Reporting

- 48 **agree** that a shooting range operator and a shooting club must report to Police 'near misses', that is incidents or safety breaches that do not result in injury or death, but that have the potential to do so in other circumstances;

Process for the regulations

- 49 **authorise** Police to issue the Parliamentary Counsel Office with drafting instructions to amend the Arms Regulations 1992 to give effect to the proposals in this paper;
- 50 **authorise** the Minister of Police to make decisions on any minor or technical matters that arise during the drafting process, consistent with the overall policy direction in this paper;
- 51 **authorise** Police to issue the Parliamentary Counsel Office with drafting instructions to make the minor and technical amendments to the Arms Regulations 1992 to correct errors that are listed in appendix 4;
- 52 **invite** the Minister of Police to report back to the Cabinet Legislation Committee with draft regulations for submission to the Executive Council;
- 53 **note** that the implementation of the new regulations relating to shooting clubs and shooting ranges will not require additional funding.

Authorised for lodgement

Hon Chris Hipkins
Minister of Police

Appendices

Appendix 1 Summary of submissions

Although the consultation was on proposed regulations, many submitters took the opportunity to express opposition to the requirement for shooting clubs to be approved and shooting ranges to be certified. That decision had already been taken and implemented through the Arms Legislation Act 2020.

Topics attracting most comment

Age restrictions on participation in shooting activities under immediate supervision. Almost all submitters opposed age restrictions on shooting activities. They were seen by many as penalising the sport and removing a safe way for youth to learn about firearms. Two submitters supported age restrictions and questioned why a child should be able to access and use firearms.

Restrictions on club committee membership. Almost all submitters opposed any restriction on the membership of committees as unnecessary and impractical. It was noted that many committee members bring particular skills to the club but do not participate in shooting activities. This concern related particularly to technical roles such as treasurer and secretary. Two submitters suggested that the only committee members who should be required to hold a firearms licence were training officers and armourers.

Secure storage of firearms and ammunition. Most submitters agreed that there should be secure storage requirements for any firearms and ammunition held for the benefit of the club or at a shooting range. They also mostly agreed that this should be codified in legislation.

Fees. Many submitters opposed the introduction of fees. Most felt that the benefit was to the public, rather than to clubs and ranges or firearm users, so the cost should be borne by the Crown. Some submitters asserted that any of the cost-recovery options presented could force some shooting clubs and ranges to close.

Records relating to officers on duty. Though this was a small aspect of the proposals relating to shooting ranges, most submissions stated that keeping a record of the time of day that each individual officer on duty was acting in that function on a range was impractical and unnecessary.

Overarching comments made by submitters

Safety. Many submitters expressed an opinion that the proposals in the consultation document would not contribute to improving safety for shooting clubs or shooting ranges, and that all proposals for regulation should be measured against whether they improve safety for shooting clubs and ranges. Some questioned the lack of clear evidence of a problem that needed to be solved by regulation.

Compliance burden. Most submitters raised concerns about the high administrative burden that the proposals would place on shooting clubs and shooting ranges. Many submitters explained that clubs are run by volunteers with limited time, and the proposed administrative requirements would overburden scarce

volunteers. Many suggested using existing sources for information (such as the incorporated society regime) and ensuring that only absolutely necessary information be required. A number thought that proposals weren't practicable, and needed to be better adapted to different circumstances (e.g. different shooting disciplines or types of shooting range).

Process and style of consultation. Submitters found the discussion document too long and unclear in places, and the submission form challenging to use. Some submitters mentioned that the submission form should have been available online, and noted the inability to complete the consultation on a mobile device. Other submitters found the small number of available options too limiting.

Support. Three submitters supported the proposals and asked that controls on the use and possession of firearms be further strengthened.

Further involvement. Most submitters requested further involvement in the design of the regulations, and this was achieved with workshops held with key firearms stakeholder groups.

Appendix 2 Comparison between proposals in discussion document and proposals in this paper, and analysis of relevant feedback

Shooting clubs: application for approval

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Manner of application (Question 1)	Mostly supportive.	Application may be made in hard copy, by email or through an internet site.
Details of content of application (Questions 5—6, 8—9)	Concern about volume of information and burden on clubs.	Required info reduced. Existing sources (e.g. incorporated society registration) used where appropriate.
Supporting information for an application (Questions 2—4)		
Prescribe information Commissioner may request when considering an application (Section 3.1.2)	—	Not needed, as Arms Act empowers Commissioner to request any necessary information.
Require that clubs established after 24/6/22 hold a certificate of approval before carrying out shooting activities (Question 7)	Majority opposed. Some pointed out that this was already required under the Arms Act.	Not needed, as Arms Act already requires this.
Require reapplication after a previous approval has been cancelled (Question 7)	—	Not needed, as Arms Act already requires this.
Require reapplication when clubs amalgamate, regardless of whether a different discipline is involved (Question 7)	Opposition because these clubs would have to stop shooting activities while application was being considered.	Retained requirement for clubs to notify the regulator of an amalgamation.
Require reapplication when a club undertakes different disciplines (Question 7)	Some opposition; suggestion instead that conditions of approval could be varied.	No regulation needed, as this situation can be dealt with through applying for a variation of conditions on the certificate of approval.

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Require reapplication when a club's registration as an incorporated society lapses for more than two years (Question 7)	—	Require a club to notify the regulator if it ceases to be registered as an incorporated society. Require a pistol club to remain an incorporated society.
Require new pistol clubs to apply for approval within 12 months of establishment (Section 3.1.4)	—	Not needed, as Arms Act already requires this.

Shooting clubs: committee membership

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Committee membership — shooting clubs other than pistol clubs		
Require either > 50% or 100% of committee members to hold a firearms licence For clubs selling ammunition or firearms, the treasurer must hold a firearms licence and must be on the committee. (Questions 11—12).	Significant opposition, as this would starve committees of expertise (e.g. secretary and treasurer). Some support for 50% being firearms licence holders, but no lesser option presented in the discussion document. Agree that firearm-related offices (e.g. armourer, training officer) need to be filled by firearms licence holders, but there should be no requirement for them to be on the committee (e.g. there can be more than one armourer in a club).	No regulation. Retain status quo.

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Committee membership — pistol clubs, and clubs with more than one shooting discipline one of which is pistol target shooting		
<p>Require either > 50% or 100% of committee members to hold a firearms licence with a pistol endorsement, and any member responsible for training and storing firearms must hold a firearms licence with a pistol endorsement and be on the committee.</p> <p>For clubs selling ammunition or firearms, the treasurer must hold a firearms licence and must be on the committee.</p> <p>(Questions 13—16).</p>	<p>As above.</p> <p>No need to have different rules for composition of committees of different types of clubs (pistol, multidisciplinary, other).</p>	<p>No regulation. Retain status quo.</p>

Shooting clubs: reporting

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Annual report		
<p>Details of content of annual report.</p> <p>(Questions 34—35).</p>	<p>Remove duplication with incorporated society reporting requirements.</p>	<p>Required info reduced. Use existing sources (e.g. incorporated society registration) where appropriate.</p>
Membership information — pistol clubs		
<p>Pistol clubs: require a list of members at the time of application</p> <p>(Question 8)</p> <p>Require the club to advise Police within 28 days of receiving notice that a member has resigned or failed to renew their annual subscription.</p> <p>(Questions 29—30)</p>	<p>General support. Some opposed to regulation because it is current practice, or because this should be the individual's responsibility.</p>	<p>Require the club to provide a list at application and in annual reports, and notification to Police when members join or leave.</p> <p>Require the club to provide Police with a current list on request.</p> <p>Require a holder of a pistol endorsement to notify Police of joining or leaving a pistol club and the primary club membership if a member of more than one club</p>

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Membership information — other shooting clubs		
Provide evidence that the club maintains a membership register (Question 5)	Some concern about requiring the register to include each firearms licence number.	Require the club to maintain a membership list including the licence numbers of members where applicable.
Participation in pistol shooting club activities		
Pistol clubs should keep records of participation in shooting activities (Questions 25—26, 10).	Some support, reflecting status quo under letter of agreement between Police and Pistol New Zealand. Most opposed, saying is individual's responsibility.	Require the club to keep records of participation in shooting activities, and provide to Police annually. Holders of a pistol endorsement will be responsible for meeting the existing requirements for participation in club activities, and meet a new requirement of reporting on this to Police.
Make a regulation to specify that participation in shooting activities on one day is treated as a single activity. (Question 27).	Majority support, reflecting status quo.	Not needed, as the Arms Regulations already stipulate this.
—	—	Clarify the definition of "activities" of a pistol shooting club in the current r 22 of the Arms Regulations to mean scheduled shooting activities organised by the club of which they are a primary member.

Shooting clubs: regulation of activities

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Participation in club shooting activities by persons who do not hold a firearms licence — shooting clubs other than pistol shooting clubs		

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
<p>Either: no person under 16 may use a firearm in a club-organised shooting activity under direct supervision; or no person under 10 may do so.</p> <p>(Questions 17—18)</p>	<p>Strong opposition. The Arms Act allows under-age use under direct supervision. Restricting or prohibiting it in a club environment would displace the activity to a less safe environment.</p>	<p>No regulation. Retain status quo.</p>
<p>Allow persons over 16 who do not hold a firearms licence to use a firearm in a club-organised shooting activity under direct supervision for no more than 3 months.</p> <p>(Questions 19—20)</p>	<p>Strong opposition. The Arms Act allows a person without a firearms licence to use a firearm under direct supervision. Restricting or prohibiting it in a club environment would displace the activity to a less safe environment.</p>	<p>No regulation. Retain status quo.</p>
<p>Participation in shooting activities organised by a pistol shooting club</p>		
<p>Several options were presented for limits on participation in club-organised pistol shooting activities, relating to age and whether the person holds a firearms licence.</p> <p>(Questions 21—24).</p>	<p>Some support; less for the option that limits participation to persons holding a firearms licence.</p>	<p>A graduated set of requirements that achieves these outcomes:</p> <p>Persons under 16 may still participate in scheduled shooting activities organised by the club under the immediate supervision of a club member holding a pistol endorsement.</p> <p>Persons 16 or over may still participate in scheduled shooting activities organised by the club for which they intend to become a member under the immediate supervision of a club member holding a pistol endorsement, for a maximum of three times after which there is a time-bound progression to joining the pistol club, obtaining a firearms licence, and obtaining a pistol endorsement.</p>

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Secure storage of firearms and ammunition in relation to shooting clubs		
<p>Require shooting clubs storing firearms or ammunition to provide secure storage that meets standards specified in regulation.</p> <p>(Questions 31, 10)</p>	<p>Most opposed, either because their club does not store firearms/ammunition, or because it is the individual's responsibility.</p> <p>Some concerned about security risk if details of secure storage were made public.</p> <p>Concern about costs of upgrading storage.</p>	<p>Where firearms or ammunition are stored on club premises, the club must ensure that secure storage facilities are available, and that these facilities meet a prescribed standard (which will be those in r 8A, adapted as necessary for a club environment).</p> <p>Pistols may not be stored overnight at a shooting club premises without the prior written authority of a member of the Police.</p>
Sale or supply of ammunition and firearms on behalf of a club		
<p>Require detailed records of the sale of ammunition that is sold or supplied on behalf of a club.</p> <p>(Questions 32—33, 10)</p>	<p>Strong opposition because of administrative burden and no obvious safety outcome.</p>	<p>Require that if ammunition or firearms are sold or supplied on behalf of a shooting club, the shooting club must additionally include in its annual report a financial report approved in accordance with club rules, that contains sufficient detail to provide a reconciliation of items purchased, held, sold or supplied by the club, and evidence that the revenue is used for the benefit of the club.</p>
<p>Require detailed records of the sale of firearms that are sold on behalf of a club.</p> <p>(Questions 32—33, 10)</p>	<p>Concern that this will be redundant when the firearms registry is operational.</p>	<p>No additional regulation, as the registry will capture this data.</p>
Loan or supply of firearms on behalf of a club		
<p>Require detailed records of the loan, hire or supply of firearms on behalf of a club.</p> <p>(Questions 32—33, 10)</p>	<p>Strong opposition because of administrative burden, e.g. on club days, and no obvious safety outcome.</p>	<p>No regulation. Records to be maintained through the registry</p>

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Subsequent improvement notice		
Make regulations to empower Police to issue a subsequent improvement notice if a club fails to comply within time specified. (Question 36).	Majority support, as club may not be able to comply in time.	No regulation needed. Can be done administratively through varying the improvement notice to extend the time period.
Reporting incidents		
—	—	Require a shooting club to maintain a risk register available for inspection of or activity: incidents or safety breaches that do not result in bodily injury or death, but that have the potential to do so in other circumstances.

Shooting ranges: certification

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Prescribe manner of application (including for renewal) (Question 40)	Mostly supportive.	Application may be made in hard copy, by email or through an internet site.
Prescribe content of application (including for renewal) (Question 41)	Mostly supportive.	Largely the same as proposed in discussion document.
Prescribe supporting information required (including for renewal) (Question 42)	Strong disagreement with requirement to supply written record of landowner consent and confirmation from territorial authority and regional council	Replace with declaration that landowner has consented, and land use conforms with local government rules.
Provisions for renewal of certification if there have been no significant changes to the range or its operation (Questions 43—45)	Support for a streamlined process. Some thought there should be no need for a new range inspection report in this case.	Streamlined renewal process. No requirement for a new range inspection report from a shooting range inspector.

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Make regulations to empower the Commissioner to cancel the certification on request of the shooting range operator (Question 64)	Most supported, with little comment.	No regulation needed, as this is already provided for in the Act.

Shooting ranges: regulation of use

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Officer on duty at a shooting range (duty officer)		
A duty officer must have met prescribed training requirements. (Question 47)	Mostly support.	Requirements can be determined administratively, through a Guidance notice as for shooting range inspectors.
A shooting range operator must keep a record of persons who have been trained as duty officers. (Question 48)	Mixed support: some support the practice, but not specifying it in regulations.	Regulations will prescribe record-keeping requirements.
A shooting range operator must keep a record of which duty officer is on duty at any time of any day. (Questions 49—50).	Widespread opposition, on the grounds that this is impractical.	No regulation.
An officer on duty must hold an endorsement for any firearm in use on the range at the time. (Question 46)	A duty officer is required to be trained in "shooting range safety management". This doesn't necessarily relate to a specific endorsement. Nor is the duty officer responsible for the safe use of individual firearms. This would significantly restrict the ability of P-endorsement holders to sight their firearms on a certified range.	No regulation.

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Variation of conditions attached to certification		
Require shooting range operators to seek advice from Police if they intend to make change to range operation. (Question 53)	Mixed views, but also some misunderstanding of proposal.	No regulation needed, as this situation can be dealt with through applying for a variation of conditions on the certificate of approval. Minor changes to range operation will not require variation of conditions.
Proposals relating to the Commissioner being able to vary conditions attached to certification of a shooting range. (Question 54)		
Range standing orders (RSOs)		
Require that a shooting range operator must comply with the range's RSOs. (Question 51)	Strong support. Some opposition was not to the practice, but prescribing it in regulations.	Retain proposal in discussion document.
Views sought on whether conditions on a range certificate should be on the certificate itself or in the RSOs. (Question 52)	Mixed views.	Conditions on a range certificate will be stated on the certificate itself. The RSOs will contain operational details, many of which will reflect conditions, compliance with which will be mandatory because of the proposal above.
Prescribe in regulation that the content required in RSOs is specified in the Police shooting range manual. (Question 55)	Reasonably even split, but concern that referencing the Police shooting range manual would allow range operators' obligations to be changed by Police without consultation.	Prescribe in regulation the content required in RSOs.
Require shooting range operators to provide the current version of the RSOs to all members of all clubs using the range and all persons who use the range regularly, and advise them of updates. (Questions 56—57)	Support for having all users of a range having access to the current RSOs, but opposition to extent of proposal.	Require the shooting range operator to take reasonable and practicable steps to ensure that anyone who uses a shooting range must have ready access to the current version of the RSOs, whether in paper or electronic form, and is advised of the most recent changes to the RSOs.

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Require shooting range operators to notify Police of proposed changes to RSOs. (Question 59)	Mostly opposed. Bureaucracy may inhibit range operators from making beneficial changes. Those who supported mostly wanted a threshold of significance, with minor changes not requiring notification.	Require notification, above a threshold where safety or ballistic characteristics of range might be affected.
Regulate to require particular signage at a shooting range. (Question 58)	Some support as in line with usual practice, and has safety benefits. Mostly opposed because of lack of flexibility.	No regulation warranted, as RSOs specify signage required and compliance with RSOs is mandatory.
Storage of firearms and ammunition at a shooting range		
Require shooting range operators storing firearms or ammunition to provide secure storage that meets standards specified in regulation (similar to those for a dealer) (Question 60)	Most opposed because it is the individual's responsibility and because of the costs of upgrading storage. Some support as is appropriate and reasonable, and has a safety outcome.	Where firearms or ammunition are stored at a shooting range, the shooting range operator must ensure that secure storage facilities are available, and that these facilities meet a prescribed standard (which will be those in r 8A, adapted as necessary for a shooting range). Pistols may not be stored overnight at a shooting range without the prior written authority of a member of the Police.
Inspection of shooting ranges		
Specify in regulation the reasons for which Police may inspect a shooting range. (Questions 61—62)	Even balance. Most who opposed thought this added nothing to the provisions in the Arms Act.	No regulation warranted, as there is no need to circumscribe Police powers in the Arms Act.
Make regulations to require Police to provide a written report to justify directions of remedial action. (Question 63)	Most supported, with little comment.	No regulation warranted, as the Arms Act already deals with this.

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Reporting incidents		
—	—	Require a shooting range operator to maintain a risk register available for inspection and record incidents or safety breaches at a shooting range that do not result in bodily injury or death, but that have the potential to do so in other circumstances.

Cost recovery

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Fee for processing an application for a certificate of approval for a shooting club (Questions 37—38)	Strong opposition, asserting that public benefit and impost of regulation mean that Crown should bear all costs.	Cost recovery of 50% of direct costs of regulatory activities to deliver the regulatory requirements
Fee for annual compliance check of shooting club (Question 39)		
Fees for processing an application for certification of a range or renewal of certification (Questions 65—66)		

Publicly-available list of approved shooting clubs and certified shooting ranges

Proposal in discussion document	Summary of feedback	Proposal in this Cabinet paper for regulation
Police to maintain a publicly-available list of approved clubs and certified ranges (Question 67)	Mixed: some benefit from promoting clubs, but also security concerns.	No regulation needed.

Stage 2 Cost recovery impact statement

Fees relating to approval of shooting clubs and certification of shooting ranges

Agency disclosure statement

This cost recovery impact statement has been prepared by New Zealand Police.

It provides an analysis of options to recover the costs of administering the approval of shooting clubs and certification of shooting ranges under the Arms Act 1983.

The costs of carrying out this function are principally processing applications for approval and certification, and undertaking compliance activities. Some indirect costs of activities needed to support the clubs and ranges regulatory regime have been averaged and applied to the cost of processing each application.

The regulation of all shooting clubs and ranges is a new function for Police. This creates some uncertainties:

- The expected costs of processing applications and conducting compliance activities has been estimated as accurately as possible. Confidence around these figures is high.
- Because most shooting clubs and shooting ranges are unregulated, their number can only be estimated. The estimates used in this analysis are based by a survey Police conducted in 2020, including through discussion with the major shooting disciplines. They are the best estimates possible, though confidence is only medium.
- Any inaccuracies in the numbers of clubs or ranges may affect how closely the fees match the costs, though both costs and revenue are influenced by the number of clubs and ranges to be regulated. As there is a significant Crown contribution in the fees proposed, there is a low risk of regulated parties being overcharged.



This CRIS was originally published on 13 July 2022

Gillian Ferguson

Acting Executive Director, Policy and Partnerships, New Zealand Police

Signature of person

17 July 2022
Date

Executive summary

- From June 2022 shooting clubs must be approved and shooting ranges must be certified by Police. This is a new requirement. The approval/certification regime for clubs and ranges will be fully implemented when regulations are made under the Arms Act to specify requirements in detail. This is expected to be done by January 2023.
- The detailed business case for a new firearm safety regulator (a branded business unit within Police) is based on partial cost recovery. The Arms Act contains criteria for cost recovery.
- Proposals for how shooting clubs and ranges would be regulated (including cost recovery) were consulted on between March and May 2022.
- Based on feedback received during consultation and further consideration of the regulatory proposals, we recommend recovering approximately half the cost of regulating shooting clubs and ranges. This reflects the balance between private benefit to largely recreational firearm users, and the safety outcomes from having an active and supportive club environment for people to participate in shooting activities, and access to shooting ranges whose design and operation have been certified against recognised safety standards.
- Regulation of shooting clubs and ranges will be a small part of the work of the new firearm safety regulator. The revenue from this portion of the regulator's work, and the cash-flow implications of a five-year renewal cycle for shooting range certification, will be a minor part of the regulator's overall budget.
- An inter-agency governance board will oversee the new firearm safety regulator.
- Cost recovery for shooting clubs and ranges can be reviewed as necessary, and will be reviewed in 2026—2027 as part of a legislated review of the operation of the Arms Act.

1 Status quo

Shooting clubs and shooting ranges are now regulated

Amendments to the Arms Act 1983 came into force on 24 June 2022 that introduced a regime for the approval of shooting clubs and certification of shooting ranges.

The situation before that was:

- Holders of a pistol endorsement on a firearms licence were required to be members of a pistol club recognised by Police, which was linked to a letter of agreement between Police and Pistol New Zealand (an incorporated society), however the clubs themselves were not directly regulated.
- There was no oversight or regulation of other shooting clubs.
- Ranges used by pistol clubs had to be approved by Police, with inspections carried out by Pistol New Zealand.
- There was no oversight or regulation of other shooting ranges.

The relevant provisions in the Arms Act (new Part 6) now require that:

- all shooting clubs are approved by Police
- specified shooting clubs are registered as an incorporated society
- clubs provide specified reporting
- all shooting ranges are certified by Police.

The new provisions also establish a compliance regime including inspection, improvement notices, temporary suspension of approval/certification and cancellation of approval/certification. Offence provisions have been established.

Rationale for government intervention

These changes to the Arms Act mean that:

- Police, as the firearms regulator, has knowledge and oversight of all shooting clubs and shooting ranges
- shooting clubs are required to formalise management and governance, to better achieve safety and responsibility in the use of firearms
- there is greater assurance of the safe use of shooting ranges, both for users and the general public.

Policy approval to recover the costs of approving clubs and certifying ranges

In 2019 Cabinet agreed to 'licensing' shooting clubs and ranges, and noted the potential for funding the administration of a broadened firearms regime through cost recovery [SWC-19-MIN-0063]. In 2022 Cabinet endorsed a detailed business case that relied on appropriate cost-recovery frameworks [SWC-22-MIN-0021]. It also approved the release of a discussion document that contained proposed fee types and amounts for the approval of shooting clubs and certification of shooting ranges [SWC-22-MIN-0038].

Statutory authority to charge

The Arms Act provides for fees to be prescribed in regulation for:

- processing any application for approval of a shooting club and certification (including renewal of certification) of a shooting range (s 80(2)(viii))
- undertaking inspections and compliance checks (s 80(2)(vi)).

The Arms Act provisions relating to cost recovery (ss 79—86) include:

- which activities a fee or charge may be imposed for
- criteria for cost recovery
- consultation on proposed cost-recovery regulations
- methods of cost recovery (calculation of fees and charges)
- payments, exemptions, waivers and refunds.

The regulator

Police administers the Arms Act, to achieve the intended personal and public safety outcomes. Government has decided that Police will deliver its regulatory functions through a branded business unit within Police.

New fees

The fees proposed in these regulations are new, as the regulation of activities is new.

2 Cost recovery principles and objectives

Principles of the cost recovery proposal

These are set out in s 81 of the Arms Act, which requires that:

- a fee recovers no more than the actual and reasonable costs (direct and indirect) of the activity to which it relates
- a fee for an activity being charged for is generally obtained from the users or beneficiaries of the service or class of services to which the activity relates
- this recovery is at a level commensurate, as far as practicable, with their use of the service
- the costs of the activity to which a fee relates must be efficiently incurred, and
- there must be a clear relationship between the costs of the activity to which the fee relates and the nature and duration of the activity.

Objectives of the cost recovery proposal

The cost recovery proposal is to support the principles of the Arms Act (s 1A), which are to:

- promote the safe possession and use of firearms and other weapons, and
- impose controls on the possession and use of firearms and other weapons.

The regulatory regime established by the Act to achieve those purposes reflects two principles:

- possession and use of firearms is a privilege, and
- persons authorised to possess or use firearms have a responsibility to act in the interests of personal and public safety.

The objectives of the cost recovery proposal are to allow the firearms regulator to fully carry out its expanded functions in a fiscally sustainable manner, while recognising any public benefit from regulating shooting clubs and ranges.

3 Policy rationale: Why a user charge, and what type is most appropriate?

Why have fees?

Parliament has decided that shooting clubs must be approved and shooting ranges must be certified. Cabinet has decided that this and other new regulatory activities related to firearms safety will be funded at least in part by recovering costs from users [SWC-22-MIN-0021].

Setting fees for clubs and ranges is proposed in the context of a wider review of cost recovery under the Arms Act. The degree of cost recovery for particular regulatory services will depend on the degree of private or commercial benefit, impact of fees on compliance and the public interest in maintaining a well-functioning arms regulatory system.

Types of fee proposed

The following fees are proposed for shooting clubs and shooting ranges:

Processing an application for approval of a shooting club	
Duration or frequency	One-time only. Reapplication required under s 38J of the Arms Act would constitute a new application.
Type of fee	Same fee for all clubs.
Rationale for type of fee	The cost of processing the application is largely the same regardless of the size of club (e.g. number of members).

Undertaking an inspection and compliance check of a shooting club	
Duration or frequency	Annual.
Type of fee	Two types: clubs for which firearms or ammunition are not sold or supplied on their behalf ¹ , and clubs for which firearms or ammunition are sold or supplied on their behalf.
Rationale for type of fee	Clubs for which firearms or ammunition are sold on behalf require increased compliance activities to ensure that controls are maintained over sales and supply.

¹ The Arms Act provides that a member of a shooting club does not have to meet the requirements for an ammunition seller or dealer if they sell ammunition or firearms (respectively) under certain conditions: that the sale is to a club member or on club premises and is approved by the club, and the revenue from the sale is used for the benefit of the club. The Act refers to such a club as one for which "ammunition or firearms are sold on its behalf" (S 38C).

Processing an application for certification of a shooting range; fee to cover inspections and compliance checks	
Duration or frequency	Maximum of 5 years.
Type of fee	Flat fee for a single range, with an additional smaller fee for additional ranges at a single site (within a range complex) up to a maximum of six ranges, and no additional fee for more ranges on the same site. Lower fee for temporary ranges (e.g. for a one-off shooting event).
Rationale for type of fee	The cost of processing an application for, and conducting inspections and compliance checks on, a single range is largely the same for all range types. There are economies of scale for both processing an application and conducting inspections and compliance checks for additional ranges on the same site. No ongoing inspections or compliance checks are required for temporary ranges.

Processing an application for renewal of certification of a shooting range (other than where there has been no significant change to the circumstances of the range); fee to cover inspections and compliance checks	
Duration or frequency	Maximum of 5 years.
Type of fee	As for initial applications.
Rationale for type of fee	The regulatory activity required is broadly similar for processing applications for initial certification and applications for renewal.

Processing an application for renewal of certification of a shooting range where there has been no significant change to the circumstance of the range; fee to cover inspections and compliance checks	
Duration or frequency	Maximum of 5 years.
Type of fee	As for initial applications.
Rationale for type of fee	Processing the application is broadly similar to processing initial and renewal applications, but less compliance checking is required.

Who will pay?

Shooting clubs

Pistol clubs that are recognised by the Commissioner immediately prior to 24 June 2022 will not have to apply for approval, so will not have to pay any fee for processing an application. They will have to pay an annual fee for compliance activities.

Other shooting clubs will pay for their applications to be processed, and for inspections and compliance checks.

As shooting clubs are not-for-profit bodies, indirectly their members (or non-members using their services) will pay. The number of shooting clubs (other than recognised pistol clubs) in New Zealand is not known with any certainty, but is estimated to be around 280 (see section 5 for further details).

Shooting ranges

Pistol shooting ranges approved by the Commissioner at 24 June 2022 will be treated as certified for five years (unless the certification is cancelled earlier), so will not have to pay an application fee. The operators of such ranges will then have to pay for renewal of certification every 5 years.

Other shooting range operators will pay to apply for certification by 24 June 2023, and then for renewal of certification every 5 years.

Some shooting range operators are not-for-profit bodies (such as shooting clubs), while others are businesses. There are an estimated 1,400 shooting ranges in New Zealand, though the number of separate operators is unknown (see section 5 for further details).

Nature of the output from the activity

Private good: benefits to shooting club members, non-members taking part in shooting club activities, shooting clubs as entities, shooting range operators (clubs or commercial) and shooting range users.

Public good: increased public safety from regulation of shooting clubs and shooting ranges, which provide a safe and supervised environment for people (whether firearms licence holders or others using firearms under immediate supervision) to carry out shooting activities.

Full or partial cost recovery?

Clubs

There is public benefit from having an active and functioning shooting club sector. Clubs offer members benefits beyond competitions, knowledge-sharing and social activities. Many clubs are also shooting range operators, and provide a supportive and supervised environment for people to participate in shooting activities — both firearms licence holders and others using a firearm under the immediate supervision of a licence-holder.

Clubs are voluntary organisations, and costs are passed on in membership fees and through activity charges to members and non-members. Activity fees include use of the range, through to a complete package including use of a firearm, supply of ammunition and use of the range.

It is possible that cost recovery could lead to increased club fees and charges. This could lead to decreased membership, with some shooting activity displaced to less safe environments, though this relationship is uncertain.

Ranges

Any shooting range used by a shooting club must be certified. Access to shooting ranges whose design and operation have been certified against recognised safety standards is important to all range users, including club members, firearms licence-holders and non-licence-holders using firearms under the immediate supervision of a licence-holder.

The cost to certify ranges should not be set at a level that makes it so expensive that these benefits are lost. Shooting in a place that may not meet safety standards presents risks. Some of these places include riverbeds, isolated rural properties or the conservation estate.

Cost recovery

Regulation of shooting clubs and shooting ranges provides a private benefit to club members and range users, through helping to ensure personal safety. There is also benefit to commercial shooting

range operators. There is also a public benefit for regulated places for both licence holders and non-licence holders to shoot.

It is proposed that all fees associated with regulation of shooting clubs and ranges are set at 50% of full cost recovery.

It is worth noting that apart from the majority of pistol shooting clubs and ranges, there is no Police oversight of clubs and ranges. Partial cost recovery will mitigate the risk of non-compliance while Police gain visibility of the wider clubs and ranges sector².

Assessment of proposal against criteria for setting fees³

Criterion for fee	Analysis
Covers no more than cost	Yes.
Obtained from users or beneficiaries	Yes, but with appropriate recognition of public benefit through Crown subsidy of activities.
Commensurate with their use of service	Yes, but with appropriate recognition of public benefit through Crown subsidy of activities.
Activity costs are efficiently incurred	The new firearms regulator (a branded business unit within Police) is establishing performance measurement and reporting system, to work at both operational and strategic levels.
Clear relationship between costs and activity being charged for	Ex-ante analysis of approval/certification regime assesses costs of activities at a component level, and relates to proposed fees.

² By way of comparison, there was significant non-compliance when the lifetime licence was reduced to a ten-year licence. At that time barely 70% of lifetime licence holders applied for a ten-year licence.

³ The Arms Act (s 81) prescribes criteria for setting fees, so these are used rather than the relevant Treasury or Office of the Auditor-General guidelines, although they are not inconsistent.

4 The level of the proposed fee and its cost components (cost recovery model)

Proposed fees

The Cabinet paper seeking decisions on cost recovery proposes the following fees for shooting clubs and shooting ranges. These represent approximately 50% of full cost recovery (with some rounding):

Activity	Fee (including GST)	
Processing an application for approval of a shooting club: one-off fee	\$140	
Inspection and compliance activity in relation to a shooting club for which ammunition or firearms are not sold on behalf	\$30 per year	
Inspection and compliance activity in relation to a shooting club for which ammunition or firearms are sold on behalf	\$40 per year	
Processing an application for certification of a shooting range; fee to cover inspections and compliance checks (averaged over all ranges)	Single range (<i>excluding clay target</i>)	\$400
	Additional single range (<i>excluding clay target</i>)	\$45 per range, up to a maximum of 6 ranges
	Clay target range (<i>skeet, trap, sporting</i>)	\$400
	One-time limited use range	\$250
Processing an application for renewal of certification of a shooting range (other than where there has been no significant change to the circumstances of the range)	Single range (<i>excluding clay target</i>)	\$400
	Additional single range (<i>excluding clay target</i>)	\$45 per range, up to a maximum of 6 ranges
	Clay target range (<i>skeet, trap, sporting</i>)	\$400
	One-time limited use range	\$250
Processing an application for renewal of certification of a shooting range where there has been no significant change to the circumstance of the range	Any range	\$200

The following tables set out the full cost of conducting activities for which fees are proposed.

Activity outputs, processes and costing

Processing application for approval of a shooting club	Cost
Receive and check application	\$46
Assess application, make decision and issue certificate of approval	\$176
Maintain register of approved clubs	\$20
Total	\$242 + GST (\$278.30)

Undertaking annual compliance check of clubs	Cost
Review and update information, including annual report, financial statements and change of club details	
Total for clubs not selling ammunition or firearms	\$56 + GST (\$64.40)
Total for clubs selling ammunition or firearms	\$69+ GST (\$79.35)

Processing application for certification of a single shooting range	Cost
Receive, review and assess application; make decision and issue certificate	\$360
Maintain shooting range manual. Maintain shooting range inspector training regime. Maintain public list of trained shooting range inspectors (averaged over all ranges)	\$41
Time per range (averaged)	\$79
Compliance activities (visit, issue and monitor compliance with improvement notices. (Averaged over all ranges.)).	\$238
Total	\$718 + GST (\$825.70)

Processing application for certification of additional shooting ranges	Cost
Additional time per site (averaged over all ranges)	
Total	\$79 + GST (\$90.85)

Up to a maximum of 6, as beyond that the marginal cost becomes very low.

Processing application for renewal of certification of additional shooting ranges where there has been a significant change in circumstances
These are charged at the same rate as for initial applications, as the work is substantially similar

Processing application for certification of one-time shooting range	Cost
Receive, review and assess application; make decision and issue certificate	\$360
Time per range (averaged)	\$40
Maintain shooting range manual. Maintain shooting range inspector training regime. Maintain public list of trained shooting range inspectors (averaged over all ranges)	\$41
Total	\$441 + GST (\$507.15)

Processing application for renewal of certification of additional shooting ranges where there has not been a significant change in circumstances	Cost
Receive, review and assess application; make decision and issue certificate	\$360
Total	\$360 + GST (\$414.00)

Forecast revenue

The tables below estimate revenue and costs for regulatory activities associated with the approval of shooting clubs and certification of shooting ranges. They assume that the number of new clubs and ranges increases by 2.5% per year, while clubs and ranges closing reduces the total numbers by 5%. Given the uncertainty about the current number of clubs and ranges, this is well within the margin of error.

Club approval is one-off, so ongoing revenue from clubs is minimal.

Certification of ranges lasts for 5 years (unless cancelled earlier), so revenue will be very lumpy for a long time to come.

Revenue and expenditure relating to clubs and ranges is very small in relation to overall firearms regulatory activity, so the uncertainties and irregular income in this sector are not material overall, and nor is the overall income and expenditure.

Year	1	2	3	4	5
Fees received	\$254,295	\$21,557	\$20,931	\$20,325	\$19,737
Expenses	\$277,815	\$88,471	\$87,669	\$86,891	\$86,134
Surplus (+)/deficit(-)	-\$ 23,520	-\$66,915	-\$66,738	-\$66,566	-\$66,396

5 Impact analysis

Shooting clubs

The number of shooting clubs in New Zealand can only be estimated, as there is regulatory oversight only of pistol clubs. When developing the regulatory proposals in 2020, Police made the following estimates based on information from the main umbrella organisations for different shooting disciplines:

Umbrella organisation or shooting discipline	Estimated number of clubs
National Rifle Association of New Zealand	22
New Zealand Clay Target Association	85
New Zealand Deerstalkers Association	46
Pistol shooting clubs	97 (93 affiliated to PNZ)
Field shooting clubs	Unknown
Target Shooting New Zealand	124
Clubs using New Zealand Defence Force ranges	9
Total	383

There are other clubs that are not affiliated to any of the shooting disciplines and not counted in this table. Their number is unknown but is likely to be small.

As pistol clubs affiliated to Pistol New Zealand (PNZ) will not have to pay an application fee, it is estimated that just under 300 clubs will have to pay a one-off application fee. All clubs will pay an annual fee to cover compliance activities.

Shooting ranges

The number of shooting ranges in New Zealand can only be estimated, as there is regulatory oversight only of pistol shooting ranges.

When developing the regulatory proposals in 2020, Police made the following estimates based on information from the main umbrella organisations for different shooting disciplines:

Umbrella organisation or shooting discipline	Estimated number of ranges
National Rifle Association of New Zealand	16
New Zealand Clay Target Association	400
New Zealand Deerstalkers Association	150
Pistol shooting ranges	414 (410 affiliated to PNZ)
Field shooting and commercial ranges	300
Target Shooting New Zealand	124
New Zealand Defence Force ranges for civilian use	25
Total	1,429

There is also an unknown number of commercial ranges associated with various target shooting activities including clay target and field shooting.

The number of individual shooting range operators is not known, but it will be less than the estimated number of ranges (c 1,400).

Pistol shooting range operators will have to pay a renewal fee in 5 years and every 5 years thereafter. Other shooting range operators will have to pay an initial application fee and a renewal fee every 5 years.

Impact on the regulator

Setting the proposed fees:

- removes inequity between different groups of firearms licence holders, who are paying for costs incurred in associated regulatory activities
- reduces the Crown subsidy for regulating and improving safety around shooting clubs and shooting ranges
- reduces the trade-off required by Police, as regulator, about the allocation of resources across all its work
- supports sustainable funding of a dedicated firearms regulator that has oversight of shooting clubs and shooting ranges.

Expected effects on demand for services

These are new fees.

Shooting clubs for which ammunition or firearms are sold on behalf can defray application and compliance check fees against their trading activity. Other clubs will have to allow for these fees in their annual budget.

The fees for shooting clubs are modest in relation to club income. For clubs that are incorporated societies, even those in small rural locations generally have an annual income over \$5,000. Some in larger metropolitan centres have an annual income of several times that.

A very few clubs that are incorporated societies have a tiny income, indicating that they may not be active. It is likely that a higher proportion of clubs that are not incorporated societies are inactive, though records are not publicly available. Some relatively inactive clubs may close because of the effort required to make an application, as much as the small one-off cost and annual cost. Some clubs may amalgamate to achieve a larger membership base. It is impossible to estimate the likely number of these, but amalgamation of clubs is unlikely to have any significant impact on the shooting club sector.

Shooting range fees are higher than fees for shooting clubs. Commercial range operators can pass the cost on to users. Not-for-profit operators such as shooting clubs will pass the cost on to users or members (groups that overlap).

Some operators may not seek certification of less-used ranges, and remove them from use. It is also possible that some ranges will continue to be operated without being certified. Risks from this will be mitigated by Police's wider enforcement of firearms legislation.

Comparison with other jurisdictions

Australia: club approval. Between free (New South Wales) and A\$612 (South Australia).

Australia: range approval. Between A\$64 (Tasmania) and fees for commercial operators of A\$612 (one-off, South Australia) and A\$441 plus A\$189/year (Western Australia).

UK: club approval. £444 initial application, £372 for renewal, variation of conditions £36—425 depending on work required (highest fee if a visit is required).

UK: range approval. This is carried by national associations for shooting disciplines, and prices are unknown.

6 Consultation

Police consulted on a public discussion document⁴ containing proposals for regulations, between late March and early May 2022.

This discussion document had been consulted on with: Local Government New Zealand; Taituarā – Local Government Professionals Aotearoa; Department of Conservation; Ministry of Justice; Department of Corrections; New Zealand Customs Service; Te Puni Kōkiri; Treasury; Department of the Prime Minister and Cabinet; Ministry of Foreign Affairs and Trade; Ministry of Business, Innovation and Employment; Ministry for Primary Industries; New Zealand Defence Force; Office for Māori Crown Relations Te Arawhiti.

The proposals were also discussed directly and in workshops with established consultative and advisory groups:

- Minister's Arms Advisory Group. This was established in 2021 to provide independent advice to the Minister of Police on firearms regulation and safety. Some members hold a firearms licence and others do not.
- Arms Engagement Group. Members represent people who are not firearms licence-holders but who have an interest in firearm safety.
- Firearms Community Advisory Forum. It contains representatives of firearm user groups (including ones with a firearm safety focus).
- Range Certification Engagement Group. Members are representatives of firearm user groups (and firearm safety groups) who have a particular interest in shooting ranges (and clubs, to some extent).

Options canvassed

Shooting clubs

Should the proposed one-off fee of \$275 for processing an application for approval be discounted by 25% or 50%? Why?

Should the discount for applications using agreed templates be set at 0%, 5% or 10%? Why?

Should there be an annual fee for inspection and compliance checks, with two tiers for clubs that do and do not sell firearms or ammunition? Why?

Shooting ranges

Should the fees for processing an application for certification (including inspection and compliance checks), for different types and numbers of ranges, be set at full cost or partial cost? Why?

If the fees should be set at partial cost, should that be at 80% or 90% of full cost? Why?

Brief outline of results of consultation: chief concerns raised

Submissions came almost entirely from firearm owners and users, and their representative organisations. Many were written from the standpoint of opposing regulation of shooting clubs and shooting ranges, not simply opposing fees. Most submitters generally disagreed with any fees being imposed on shooting clubs or shooting ranges.

⁴ *Proposals for new regulations under the Arms Act 1983 (Phase Two): shooting clubs and ranges.*

Apart from a general opposition to regulation of clubs and ranges, two main arguments were advanced:

- Shooting clubs and ranges provide a public benefit, so the government should cover the cost of regulation.
- The proposed fees are too high and may result in small shooting clubs or ranges closing.

Alterations to the proposed regulations

The proposed regulations reflect these decisions made on the options in the discussion document:

- move to partial (50%) cost recovery for all fees, reflecting analysis of submissions and further consideration of the balance of private and public benefit
- not continuing with the proposal for a discount for using templates, as all applications will be made in a standard format.

These proposals best meet the objectives of the cost-recovery proposal, and Cabinet's decisions about cost recovery for the new arms regulator.

7 Conclusions and recommendations

Police recommends that the new fees associated with approval of shooting clubs and certification of shooting ranges be set at approximately 50% of the regulator's costs.

This reflects the balance of private and public benefits obtained from the regulatory regime, and lowers risks of non-compliance.

8 Implementation plan

Implementation and transition

Shooting clubs and shooting ranges that existed on 24 June 2022 may continue to operate, provided an application for approval/certification is made within 12 months of that date. They may further continue to operate until the application is granted or declined.

Applications cannot be made until regulations are made to set out details of the approval/certification regime.

Police is establishing a branded business unit to carry out regulatory functions under the Arms Act. The unit will be fully established by December 2022.

Preparatory work for the regulation of shooting clubs and ranges is already under way. The clubs and ranges team for the new branded business unit is being recruited, and is likely to be fully in place by September 2022. Staff are already engaging with shooting range operators and shooting clubs, and educating them about the requirements for certification/approval. This will help ensure that clubs and shooting range operators are ready to submit formal applications as soon as the regulations come into effect.

Management and governance

Clubs and ranges are a small part of the work of the new firearm safety regulator. A cross-agency governance board will be established by November 2022 to oversee the full firearms system, of which the regulator will be part. The firearm safety regulator is overseen internally by the Deputy Commissioner: Strategy and Service.

Implementation risks

Non-compliance

Approval of shooting clubs and certification of shooting ranges is a new requirement (though pistol clubs and ranges have been indirectly regulated in the past). Much of the feedback on the proposals for regulating shooting clubs and ranges opposed the very need for regulation, and thought that if there was regulation the costs should be largely or completely borne by the Crown. Thus, there is a groundswell of resistance.

Nevertheless, there are good channels of communication between Police/the new firearms regulator and the newly-regulated community. These are through established stakeholder groups and individually between Police staff and groups or individuals. Police/the new regulator is moving through the engage/educate/enforce spectrum. There are ample powers to close any shooting clubs and shooting range operators that operate without approval/certification (which is now an offence).

Cash flow

There will be a surge in revenue from applications for shooting range certification/renewal every 5 years. This is unavoidable, and will take a long time to approach evening out. As noted in section 4, this is not significant as regulation of clubs and ranges forms a very small part of the overall work of the firearm safety regulator.

9 Monitoring and evaluation

Performance information: financial and non-financial

The arms regulator is developing a system and performance framework. This will assist it to understand and monitor the impact of legislative changes and the performance of the overall firearms regulatory system. This will also be used as the basis for reporting to the cross-agency governance board. This framework will include assessment of firearm safety and the impact of all regulatory interventions. Assessment will continue over a long time period, and include involving multiple agencies and firearm stakeholders. Operational performance measures (e.g. time, quality, effectiveness) will be reported publicly through the Police annual report.

Demonstrating cost control in monopoly services

The new regulator is taking steps to minimise compliance costs. It is transforming how Police administer the Arms Act, with significant focus being placed on automation and digitisation of processes over the next two years. Funding for this has already been agreed as part of the firearms detailed business case [SWC-22-MIN-0021].

The revised regulations differ from the proposals in the discussion document by not duplicating reporting that shooting clubs might be required to generate under the incorporated society regime.

Monitoring and evaluation

This will be conducted as part of the firearms system model and performance framework noted above.

Review

Programmed review

This cost-recovery regime will be reviewed in 2026—2027 as part of a legislated review of the operation of the Arms Act.

Ongoing review

The Minister of Police's Arms Advisory Group has a mandate to advise on the firearms regime. It was established through a 2020 amendment to the Arms Act and held its first meeting in June 2021. It provides independent advice to the Minister of Police on:

- matters that contribute to achieving the objectives of the Arms Act, in particular the safe use and control of firearms,
- any matter relating to firearms in New Zealand, including policies for regulating New Zealand's firearms regime.

Established stakeholder groups are expected to provide feedback on the operation of the clubs and ranges regulatory regime. The three principal stakeholder groups through which Police engages with people and groups with an interest in firearms are the Firearms Community Advisory Forum, Arms Engagement Group and Range Certification Engagement Group (described on page 14).

10 Review

Review of cost recovery regime

This cost-recovery regime will be reviewed in 2026—2027 as part of a legislated review of the operation of the Arms Act.

The Minister of Police must commence a review of the operation of the Arms Act by 24 June 2026 and complete it within 18 months. The Minister must prepare a report on the review and present it to the House of Representatives. The review must include the impact of the Arms Legislation Act 2020, which introduced the regime for approval of shooting clubs and certification of shooting ranges and associated cost recovery provisions (Arms Act, s 96).

Appendix 4: Technical amendments to the Arms Regulations for inclusion when regulations for shooting clubs and shooting ranges are drafted

Regulation	Technical amendment
2C	The reference in line 2 should be to “section 4A(1)(i) <i>and (j)</i> of the Act” as paragraph (j) also relates to prescribed wild animals or animal pests.
7	<p>Subclause (2)(a)(iii) should be “which major firearm part and, unless it is incorporated or integrated into a firearm with an identification number, its identification number” to be consistent with reg 12(5) and reg 12(4).</p> <p>Subclause (3)(a)(iii) should be “which major firearm part and, unless it is incorporated or integrated into a firearm with an identification number, its identification number” to be consistent with reg 12(5) and reg 12(4).</p> <p>Subclause (4)(a)(iii) should be “which major firearm part and, unless it is incorporated or integrated into a firearm with an identification number, its identification number” to be consistent with reg 12(5) and reg 12(4).</p> <p>See regulation 12(5) which correctly states the exception for marking requirement.</p> <p>See regulation 12(4) and 12(2) which refer to “identification number” for major parts rather than “marking”.</p> <p>Subclause 7(2)(c) – amend “immediately surrendered” to “surrendered within 5 working days” for consistency with section 59A(2).</p>
7A	Subclause (2)(c) – this could be clarified along lines of “any major firearm part, and its identification number if it has one”.
9D	The fourth line should refer to “ <i>prohibited</i> firearm” to be consistent with the third line.
12	<p>Subclause (2) includes “prohibited firearm” but under section 22G no person may manufacture a prohibited firearm (actually any prohibited item except certain people in section 4A(1A) may manufacture a prohibited part).</p> <p>Subclause (4) – need to delete reference to “air pistol carbine conversion kit” in last 2 lines to be consistent with the list in the first 3 lines of subclause (4).</p> <p>Subclause (6) should read “A person who contravenes any of Subclauses (1) <u>to</u> (4) commits an offence...” [instead of (1) or (4)].</p>
19	<p>Subclause (2)(c) – the first line is confusing, and would be clearer if it read “keeping locked in, or immobilised and locked in, the cabinet, container receptacle...” etc.</p> <p>The first option refers to reg 19(2)(a)(i) and (ii) and the second option refers to reg 19(2)(a)(iii).</p>

Regulation	Technical amendment
19B	Subclause (2)(a) – in the third line there is a need to insert “or animal” between “wild animal” and “pest control”, so it reads “wild animal or animal pest control” to match section 4A(1)(h)-(j).
21A	In subclause (1) delete “pistol carbine conversion kit”. There is no endorsement to possess PCCKs (need endorsement to possess pistol, permit to possess pistol, and permit to possess/import a PCCK) – see reg 9A(1)(e) for the correct list.
27	In subclause (3) delete “or (1C)” as subclause 23A(1C) has been revoked.
28	<p>Subclause (1) should logically read “by virtue of a firearms licence endorsed under section 30 or section 30B of the Act and a permit issued under s 18, s 35 or s 35A of the Act shall ensure...” (because permits under s 18 only cover import permits).</p> <p>Subclause (3) better fits into reg 8A (security of firearms at licensed dealer’s place of business) as museum directors and curators are now dealers. To be done by deleting reg 28(3) and extending scope of reg 8A(2) [which is about museum directors and curators] to include references to prohibited magazines and restricted weapons.</p>