

Office of the Minister of Police

Cabinet Business Committee

## **Arms Act 1983: Regulations for the Firearms Registry**

### **Proposal**

- 1 This paper seeks policy approval for regulations that will implement provisions in the Arms Act 1983 (the Arms Act) to establish a firearms registry (the Registry) which will come into force on 24 June 2023.
- 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 refers]. 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 that come into force on 24 June 2023, require the Commissioner of Police (the Commissioner) to keep and operate a registry that records particulars relating to licences, and the particulars of firearms, restricted weapons and other specified arms items (collectively referred to as 'arms items' in this paper unless stated otherwise) possessed by licence holders.
- 5 The Arms Act also provides for the Registry to include other particulars that may be specified in regulations. It sets out obligations for licence holders and any prescribed persons to provide information to New Zealand Police (Police) for inclusion in the Registry, in accordance with regulations.
- 6 The proposed regulatory framework for the Registry benefits licence holders, the public and Police. Through the recording of information in the Registry, Police will have greater visibility of the full range of arms items possessed by specific individuals and licence holders to assist with its regulatory and enforcement roles. The Registry can also assure legitimate buyers and sellers that they are involved in the legal transfer of firearms.
- 7 This paper seeks policy decisions on proposed regulations to implement the Registry.
- 8 The paper follows analysis of 416 submissions on a public discussion document and workshops held with key stakeholders. Submissions were almost entirely from organisations representing firearm users and individuals who are firearms licence holders or have an interest in firearm use. Concerns were raised over:

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- privacy, data security and the risks that data security breaches pose to their personal safety, and
  - the proposed information disclosure requirements which they considered to be repetitive, complicated, excessive and overly burdensome.
- 9 The proposals have been re-assessed based on the feedback raised in consultation, the regulatory burden and ease of compliance for licence holders, the information that is necessary to meet the intent of the Registry, and the need for the Registry to operate efficiently. In some cases, I have modified the proposals following the consultation.
- 10 Subject to Cabinet agreement to the proposals in this paper, Police will instruct the Parliamentary Counsel Office to draft regulations.

### **Background**

- 11 In June 2019, the Cabinet Social Wellbeing Committee (SWC) agreed:
- 11.1 to the establishment of a digital registration platform for firearms and other arms items
  - 11.2 to the principal information to be recorded in the Registry to be outlined in legislation
  - 11.3 for regulations to set out the detail of the scope and types of information collected into the Registry [SWC-19-MIN-0063 refers].
- 12 On 27 October 2021, SWC agreed that Police establish a branded business unit as a dedicated regulator of the Arms Act [SWC-21-MIN-0166 refers].
- 13 The Arms Legislation Act 2020 provides for the establishment and operation of a registry to come into force on 24 June 2023. The Arms Act sets out the principal requirements for the Registry to record certain particulars relating to licence holders and arms items, and certain events in relation to arms items. Regulations are required to prescribe the timing and other requirements for the provision of information. Regulations may also prescribe other particulars and specified information to be provided to Police for inclusion in the Registry.
- 14 Amendments to the Arms Regulations 1992 are now needed to implement the Registry. This paper seeks policy decisions for these regulations.
- 15 Section 74(4) of the Arms Act provides that regulations may be made on the recommendation of the Minister of Police only after being satisfied that 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.
- 16 In August 2022, SWC agreed to release a public discussion document containing proposals on regulations for a firearms registry. It also invited the Minister of Police to report back to the appropriate Cabinet Committee on the outcome of the consultation and to seek policy decisions for the drafting of new regulations [SWC-22-MIN-0155 refers]. This paper responds to that invitation.

### **Current situation**

- 17 Currently, there is no centralised record (or any records) of standard firearms possessed by licence holders and there is no record of private transfers of standard firearms.
- 18 The Arms Act, as at 24 June 2023, will provide that:
- the Commissioner must establish and operate a registry;
  - certain particulars are to be recorded in the registry;
  - licence holders have obligations to provide certain information when they have responsibility for certain circumstances in relation to any firearm or other item regulated under the Arms Act.
- 19 Transitional provisions in the amendments to the Arms Act provide that over the first five years licence holders must provide information to Police on all arms items they possess when they become involved in certain transactions or processes, for example, applying for a licence or buying and selling an arms item. If after five years none of these circumstances have applied, then they must provide information on all arms items they possess to Police.

### **Consultation**

- 20 Police released a public discussion document on proposed regulations for the Registry for consultation over six weeks from 31 August 2022 to 12 October 2022. The document sought responses on each of the proposals and alternative suggestions where there was disagreement, to allow full consideration of potential regulatory approaches.
- 21 Police also conducted workshops about the proposals with members of the advisory groups: the Arms Engagement Group, and Firearms Community Advisory Forum. Members of my Arms Advisory Group also provided input to Police.
- 22 Police received and analysed 416 submissions and feedback from workshops with key stakeholders.<sup>1</sup> Over 90% of submissions were from individual firearms licence holders. Three percent of submissions were made on behalf of an organisation.
- 23 Appendix 1 provides a detailed report back to Cabinet on the consultation, including a high-level summary of the submissions and a table containing analysis and advice from Police. A public facing analysis of submissions will be published on the Police website subject to Cabinet's confirmation of this paper.

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1 The analysis of submissions was qualitative, focussing on the views expressed rather than only the numbers for or against any particular proposal. Terms used in the analysis are few (1 to 25% of submitters), some (26 to 45%), many (46 to 75%) and most (76 to 99%), although when classifying responses from those not fully agreeing to proposals, the terms are based on the following percentages: Few (less than 10% of those responses), some (11 to 25%); many (30 to 49%), and many (50% or more).

- 24 I am satisfied that this consultation process meets the requirements of section 74(4) of the Arms Act.

## **Response to submissions**

### ***Many submitters made comments on issues that were out of scope***

- 25 Although the consultation was on proposed regulations, most submitters took the opportunity to express opposition to having a registry, or at least having a registry for standard firearms. Some drew attention to difficulties experienced with overseas registries. The decision to establish a registry has already been implemented through the Arms Legislation Act 2020.

### ***Privacy and security concerns***

- 26 Most submitters raised concerns over the security and privacy of information to be held in the Registry. In particular, these submitters expressed a lack of confidence in Police's ability to keep information in the register safe, secure, and accurate. They were concerned about the Registry being vulnerable to hacking or that personal information would otherwise 'fall into the hands of criminals'. These submitters often referred to how government agencies are a key target for hackers and pointed to examples of privacy breaches such as the theft of documents from Auckland Central Police Station and recent hacking attempts on medical centres in New Zealand.
- 27 All new Police IT systems are processed through the Certification and Accreditation framework, which is directed from Government via the Government Communications Security Bureau and Protective Security Requirements. The design and build of new systems is carefully reviewed to meet or exceed the Government security controls. Controls are developed to address security risks. Once it is assured that the system meets necessary security levels, the system is certified, with another check made by Police Director of Assurance, who provides the certification of accreditation.
- 28 Police will also undertake further security risk, privacy impact and policy risk assessments. Additional security and penetration testing will ensure the system is robust. This high-level security design will make it significantly difficult for anyone to fraudulently access the Registry system or for breaches of the digital platform to occur.
- 29 Police already keep records of firearms licence holder's details electronically, which carries some inherent risk. I consider that moving these records onto a digital platform poses little extra risk.

### ***Some submitters focussed on the proposed regulations for the Registry***

- 30 Some submitters suggested ways of simplifying the Registry, reducing its scope, or minimising the unnecessary duplication of information captured as part of the firearms licensing and vetting processes. Some submitters said that the proposals were too repetitive, complicated, or difficult to understand, and suggested that the Registry should be kept simple and straightforward.

31 These concerns have been addressed in the following ways:

- analysing the extent to which information additional to what is required by the Arms Act to be in the Registry is necessary to meet the regulatory purpose of the Registry
- taking into account concerns about the interpretation or practical application of some aspects of the proposals
- ensuring the regulations provide flexible processes and time for people to initially provide information and enable people to easily comply as the Registry develops, and
- minimising the compliance burden where possible.

**Regulations need to take into account the service design of the Registry**

- 32 The Registry will be supported by a more comprehensive Arms Information System (AIS) being developed to manage the processing of all arms regulatory services and compliance monitoring. It will be maintained by *Te Tari Pūreke* - the Firearms Safety Regulator. The proposed regulations have been designed to provide the necessary flexibility in how information for the Registry will be obtained.
- 33 A number of the proposed regulations are designed to recognise that the Registry will develop over time. This means that some regulations will not be implemented until the necessary digital technology or guidelines are developed and enabled by the Commissioner (in practice, the authority for this will be delegated to *Te Tari Pūreke*). Police will undertake active and comprehensive communications through its website and community links to firearms-owning community organisations, dealers, and shooting clubs to raise awareness of how and when licence holders are to interact with it.
- 34 The initial capability to support the Registry will be delivered from 24 June 2023 (day one) to enable licence holders and Police to comply with the legislation
- 35 From this date, licence holders will be able to digitally and non-digitally upload details of their firearm holdings. Other processes such as digitally updating details of transferring an arms item will be delivered over time. While additional digital functionality for the registry is being built, users will be able to provide information non-digitally for Police to manually update the registry.
- 36 To ensure Police and regulated parties can comply with their obligations under the Arms Act and Regulations, registry services will be available in non-digital form from 24 June 2023 with initial registry digital capability support on day one that will expand as delivery of services evolve.
- 37 From 24 June 2023 this approach will enable firearms licence holders to:
- register all arms items in their possession by digital and non-digital channels when they are required to do so

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- transfer registered arms items, amend/modify records of arms items, and notify Police of lost, stolen or destroyed arms items, via non-digital channels.
  - record imports and exports of arms items via non-digital channels.
- 38 At a time to be determined by the Commissioner but no later than 24 June 2025:
- dealers will be able to digitally register all arms items in their possession and record transfers of arms items to individuals or other dealers
  - dealers and ammunition sellers will be able to record sales of ammunition.
- 39 Until then dealers and ammunition sellers will continue to record all their arms items and any transactions in their record books, and will be required to provide this information to Police. As further digital functionality for the registry becomes available, non-digital processes will not be required to the same extent.

### **Policy proposals for regulations**

- 40 I have considered the proposals for regulations against the information needed for the Registry to function effectively, while considering the regulatory burden on licence holders.
- 41 In some areas I consider that the regulations require less information than was proposed in the discussion document. The requirements take into account what is essential for regulatory purposes and practical for licence holders.

### **Manner or form of providing information for the Registry (recommendation 3)**

- 42 The Arms Act enables regulations to specify the manner or form in which information is required to be provided to Police for inclusion in the Registry.
- 43 To provide the necessary flexibility as the Registry develops (as discussed above) I propose that information that is to be provided to Police for inclusion in the Registry is to be provided in a manner or form to be determined by the Commissioner.

### **Information on licence holders (recommendations 4 - 6)**

- 44 The Arms Act requires that the Registry records:
- every licence holder's full name, date of birth, address, the number and expiry date of every type of licence they hold
  - every endorsement on those licences and every condition on those licences and endorsements additional to those imposed by the Arms Act or Arms Regulations.

***Firearms licence holders***

- 45 I propose that every firearms licence holder must provide to Police for inclusion in the Registry, in addition to that required under the Arms Act above, their:
- email address and contact phone number
  - postal address, if different from residential address
  - whether they are an ammunition seller
  - information on the locations approved by Police for the secure storage of their arms items and ammunition either possessed by them or for which they are responsible on behalf of a shooting club or shooting range.
- 46 Police will populate existing information held by Police in the Registry where possible, for example from licensing and endorsement processes.

***Dealer's licence holders***

- 47 I propose that every dealer's licence holder must provide to Police for inclusion in the Registry, in addition to that required under the Arms Act, at such time as this can be recorded online by the registry through an internet site, their:
- email addresses and contact phone number/s
  - the registered name of the business (for body corporates) the trading name and the New Zealand Business Number
  - the dealer's business address and, where the dealer is operating from more than one place of business, the addresses of those places
  - postal addresses if these are different from business addresses
  - the address of any separate warehousing/storage facilities they operate
  - the names and firearms licence numbers of employees handling or having access to arms items or ammunition at the dealer's places of business.
- 48 I propose that the above information from dealers is provided at the application or renewal of their dealer's licence.

***Arms items to be recorded in the Registry (recommendation 7)***

- 49 The Arms Act requires the Registry to record particulars of every firearm, restricted weapon and prohibited magazine possessed by licence holders, if the particulars are held by Police. Regulations can specify the inclusion of additional items.

- 50 I propose that the items to be recorded in the Registry should be all firearms (excluding antique firearms<sup>2</sup>), restricted weapons, prohibited magazines, major firearm parts, and pistol carbine conversion kits. "Major firearm parts" are as already defined in the Arms Regulations<sup>3</sup>.

**Particulars of arms items to be recorded in the Registry (recommendations 8 - 12)**

- 51 The Arms Act requires that the particulars of the make, model, and identifying markings of firearms, restricted weapons, and prohibited magazines and their location are recorded in the Registry. Other particulars may be required by regulations made under section 74.
- 52 I propose that licence holders must provide the following particulars to Police to be recorded in the Registry:
- particulars of firearms - make, model, type, identification marking (serial number) according to guidelines, action, calibre or gauge, the capacity of the magazine if it is non-detachable and, if requested, a photograph of the item, according to guidelines issued by the Commissioner
  - particulars of restricted weapons - as applicable, make, model, type, action, calibre or gauge, identification marking (serial number) according to guidelines and, if requested, a photograph of the item, according to guidelines
  - particulars of prohibited magazines - make, type (e.g. box, rotary), calibre or gauge, capacity, and identification marking (serial number) according to guidelines
  - particulars of pistol carbine conversion kits - make, model, type, identification marking (serial number) according to guidelines and, if requested, a photograph of the item, according to guidelines
  - particulars of major firearms parts - make, model, description of the part (i.e. the action (frame, receiver, or upper receiver and lower receiver) of a firearm; the frame of a pistol; a calibre conversion component or kit of a pistol) and (unless it is incorporated or integrated into a firearm) identification marking (serial number) according to guidelines.
- 53 Information required on storage will include locations approved by Police for the secure storage of arms items and ammunition recorded against each licence holder, and not against each arms item.

**Identification marking (recommendation 13 - 15)**

- 54 Section 59AA provides for firearms, parts, pistol carbine conversion kits, and magazines possessed by firearm licence holders to be marked in accordance with requirements to be set out in regulations.

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<sup>2</sup> "Antique firearms" include those manufactured before 1899 and is not capable of firing, rimfire or centrefire cartridge ammunition.

<sup>3</sup> "Major firearms parts" mean the action (frame, receiver, or upper receiver and lower receiver) of a firearm; the frame of a pistol; a calibre conversion component or kit of a pistol.

- 55 Current regulations require all firearms, pistols, pistol carbine conversion kits, prohibited firearms, restricted airguns, blank-firing guns, restricted weapons, prohibited magazine, and major firearm parts that are imported (by anyone) or received (by a dealer), to be stamped or engraved with an identification number. All such items that are manufactured must also be stamped or engraved with an identification number.
- 56 To support the proposed requirement for licence holders to provide identification (serial) numbers for their firearms, I propose that all arms items possessed by firearms licence holders (including those that they possess when the Registry provisions come into force) must have identification marking according to guidelines.
- 57 I also propose that the existing regulation giving Police power to grant exemptions for dealers in respect of identification numbers is extended to cover firearms licence holders.
- 58 To provide flexibility in how identifying markings are configured, I propose to change the terminology relating to identification marking in the Arms Regulations from “identification numbers” to “identifying marking (for example, a serial number) according to guidelines”.

#### **Information on all arms items possessed by licence holders**

##### ***Circumstances activating licence holders to provide information about the licence holder and all arms items in their possession (recommendation 16)***

- 59 The Arms Act (schedule 1, clause 14) will require licence or permit holders<sup>4</sup> and any prescribed persons to provide up-to-date information for the Registry. This includes updating the Registry on all arms items in their possession when certain circumstances take place during the first five years of the Registry (activating circumstances).
- 60 These activating circumstances are when the person:
- is applying for a licence or an endorsement
  - is notifying a change in circumstances (such as a change of address)
  - has responsibility in relation to an event referred to in section 95(2) (discussed below in this paper)
  - is subject to compliance or enforcement action by Police under the Arms Act.
- 61 I propose that the list of activating circumstances also includes when a person purchases ammunition from a dealer or ammunition seller after 24 June 2025.

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<sup>4</sup> In relation to sch. 1, cl. 14 of the Arms Legislation Act 2020, in this paper reference to licence holders includes permit holders as and where this may be relevant. In almost all cases a permit holder will also hold a firearms licence.

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- 62 At this stage, I do not consider that any other class of persons need be declared as 'prescribed persons' in regulations for the purposes of schedule 1, clause 14 of the Arms Act.

### ***Information about licence holders, and arms items and their particulars, to be recorded following activating circumstances (recommendation 17)***

- 63 I propose that the relevant information to be provided to Police following an activating circumstance would be the information about the licence holder and the particulars of all the arms items that are in the possession of the licence holder that must be recorded in the Registry.

### ***Timeframe for providing information following an activating circumstance (recommendation 18 -19)***

- 64 The Arms Act enables regulations to prescribe the time in which a person must provide information following involvement with an activating circumstance.
- 65 I propose that, from day one of the Registry being in force, individual firearm licence holders will be required to provide information to Police for inclusion in the Registry within 30 days after involvement in an activating circumstance (unless a later period is agreed with the Commissioner, which in no case can be longer than 60 days after the activating circumstance).
- 66 I propose that the requirement on dealer's licence holders to provide information on the arms items in their possession will take effect (assuming they have been involved in an activating circumstance) from a time(s) as directed by the Commissioner which is within a period that can be no later than 24 June 2025.
- 67 These timeframes allow for Police to phase in the digital capability of the Registry and responds to concerns from licence holders, particularly dealers, about being able to comply by providing flexibility for licence holders where there will be genuine difficulties with compliance. This will also assist Police to manage the operational load on the Registry from day one by phasing in dealer information.

### ***Final date for provision of information on possession of arms items (recommendation 20)***

- 68 The Arms Act leaves the final date of provision of information after the close of the five-year period to be in accordance with regulations. I propose that regulations set the final date for the provision of relevant information to Police at 31 August 2028 (an actual end of the month date).

**Information on events related to arms items and ammunition**

***Transfers of arms items (sale/supply or purchase/receipt) and associated transactions (recommendations 21 - 24)***

- 69 The Arms Act will provide that licence holders must provide relevant details to Police of any supply or receipt of any firearm or other item regulated under the Arms Act (other than a temporary transfer of less than 30 days unless the item is a pistol, prohibited firearm, prohibited magazine, or restricted weapon) in accordance with regulations.

*Transfers by firearms licence holders*

- 70 I propose that firearms licence holders must provide to Police for inclusion in the Registry, relevant details of all transfers of arms items from one licence holder to another licence holder, excluding temporary transfers.

*Transfers by dealer's licence holders*

- 71 The Act will provide that dealer's licence holders must provide relevant details to Police of any supply or receipt of any firearm or other item regulated under the Act (other than a temporary transfer of less than 30 days) in accordance with regulations. Current regulations set out details of transfers that dealers must record in a record book. The Act provides that these details can instead be provided to Police for inclusion in the registry in accordance with regulations
- 72 At this stage I do not consider it feasible to align all the details to be recorded in a dealer's record book with the details that will need to be provided for inclusion in the Registry. Police need oversight of dealer sales of restricted airguns, however it would be complex and burdensome for these items to be tracked through the Registry. Therefore, these should continue to be recorded in a dealer's record book as currently set out in regulations.
- 73 I propose that dealer's licence holders must provide to Police for inclusion in the Registry, relevant details of all transfers of arms items to individuals and to other dealers (such as wholesaler to retailer or store to store), excluding temporary transfers.
- 74 I propose that this requirement will start from such time as the dealer has provided Police with information on all arms items in their possession (from a time(s) as directed by the Commissioner within a period no later than 24 June 2025).
- 75 Despite this delayed requirement for dealers, arms items sold to individual firearms licence holders will still be required to be recorded in the Registry from day one. This is because, from day one individuals who purchase an arms item from a dealer will be required to register that arms item in the Registry. Until such time as dealers are also required to record a transfer of possession directly into the Registry, transaction information in record books will be used by Police to check that individuals firearms licence holders are complying with their obligations to register their arms items from day one.

- 76 Therefore, I propose that, until such time as the dealer has provided information on all arms items in their possession, they must continue to record transaction information on sales of arms items to individuals and other dealers in their record books and provide this information to Police.

*Transfers by mail order or over the internet*

- 77 The Arms Act and Regulations currently require a form completed by the purchaser and signed by Police, which Police then send to the seller, for most types of arms items being sold by mail order or on the internet. In the case of any prohibited item, pistol, or restricted weapon, a permit to possess is required which specifies the proposed courier.<sup>5</sup>
- 78 I propose that the information for the Registry on mail order or internet sales of specified items must be provided in the manner currently required under section 43A or the permit to possess process or in a form and manner to be determined by the Commissioner.

***Relevant details to be recorded in relation to a transfer event (recommendation 25)***

- 79 I propose that the relevant details to be recorded in the Registry relation to transfers of arms items are:
- in the case of items sold/supplied:
    - the date any item was delivered
    - the name and licence number of the person to whom an item is delivered
    - in the case of a pistol, prohibited firearm, prohibited magazine, pistol carbine conversion kit, or restricted weapon delivered to a person who requires a permit to possess it, the date and number of the permit
    - particulars of the item as set out in the regulations
  - in the case of items purchased/received:
    - the date the item was received
    - the name and licence number of the person from whom the item is received (unless the arms item is surrendered within five days by a licensed dealer to a member of the Police as per section 59A of the Arms Act)
    - particulars of the item as set out in the regulations.

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<sup>5</sup> Refer section 43A and regulation 29A(2).

***Imports of arms items (recommendation 26)***

- 80 The Arms Act will require relevant details of the importation of arms items to be provided to Police in accordance with regulations. Regulation 13 already requires those importing arms items to notify Police of various particulars about themselves and the imported items within 30 days after the date on which the item is imported.
- 81 I propose that information on importations must be provided to Police for inclusion in the Registry as is currently provided under regulation 13, or in a form and manner to be determined by the Commissioner.
- 82 I also propose that there be no change to the 30-day notification period. This will replicate and replace the current regulation 13.

***Exports (recommendation 27)***

- 83 The Arms Act will require that the relevant details of the exportation of arms items must be provided to Police in accordance with requirements prescribed in regulations. Currently, licence holders must provide Police with at least four days' notice of the intended removal from New Zealand of any of their prohibited firearm, prohibited magazine, pistol, or restricted weapon.
- 84 I propose that relevant details of the exportation of arms items from New Zealand must be provided to Police for inclusion in the Registry only if an Ministry of Foreign Affairs and Trade issued export controls permit number is required (which excludes when taking sporting firearms overseas on hunting holidays or international shooting contests).

***Manufacture (recommendation 28)***

- 85 The Arms Act requires that the relevant details of the manufacture of arms items must be provided to Police in accordance with regulations. Current regulations set out the details that dealers must keep in their record book of items they manufacture.
- 86 I propose that relevant details on arms items manufactured in New Zealand must be provided to Police for inclusion in the Registry (to take effect from when licence holders are required to register their arms items)..

***Loss, theft or destruction (recommendations 29)***

- 87 The Arms Act will require that the relevant details of the theft, loss, or destruction of arms items must be provided to Police in accordance with requirements prescribed in regulations. The Arms Act (section 66A) already requires notification of these events to be provided to Police for firearms, prohibited magazines and parts, and restricted weapons.
- 88 I propose that in the event of the loss, theft or destruction of an arms item in the Registry, or any pistol, prohibited firearm, prohibited magazine or restricted weapon, the details to be provided for the Registry are the date of the occurrence, details of the arms item, and its last known location.

***Imports of ammunition (recommendation 30)***

- 89 The Arms Regulations already require Police to be notified of imports of ammunition.
- 90 I propose that regulations provide that information on imports of ammunition provided to Police is included in the Registry.

***Sales of ammunition by dealers and ammunition sellers (recommendation 31)***

- 91 The Arms Act requires that the relevant details of other items regulated under the Arms Act must be provided to Police for the Registry. Currently, dealers and ammunition sellers must keep a record of their ammunition sales.<sup>6</sup>
- 92 I propose that dealers and ammunition sellers must provide relevant details on the sales of ammunition for inclusion in the Registry that matches the details they are already required to record (which includes the date on which the seller hands over or dispatches the ammunition, the type and quantity of ammunition sold and the name and firearms licence number of the purchaser or the person supervising the purchaser). This information is to be provided from a time as directed by the Commissioner within a period no later than 24 June 2025.
- 93 I propose that until dealer's licence holders and ammunition sellers are required to record sales of ammunition directly into the Registry, they must continue to record transaction information on ammunition in their record books and provide this to Police.

***Modification of firearms (recommendations 33)***

- 94 Other events may be specified in regulations. I propose that information on modifications of a prohibited firearm to a non-prohibited firearm must be provided to Police for inclusion in the Registry. This would include details of the firearm before and after modification, and the certification from a person authorised by Police that the modification has been properly carried out and is irreversible. I propose that certification of the modification could also be undertaken by persons authorised by Police.
- 95 Manufacturing (including assembling) of a prohibited item is not generally permitted under the Act,<sup>7</sup> so it is not appropriate to provide for modifications from non-prohibited to prohibited as was considered in the discussion document.

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<sup>6</sup> Under regulation 7 of the Arms Regulations and section 22E of the Arms Act, respectively.

<sup>7</sup> Section 22G and the definition of "manufacture" in the Arms Act refer, while noting the limited ability to manufacture prohibited parts for those who were in business doing so on 12 April 2019 under s 22G(2) and 4A(1A).

***Dealers and ammunition sellers record books***

- 96 Currently, those holding a dealer's licence and ammunition sellers may record transactions of arms items and ammunition in a hard copy or electronic form. To enable Police to use these records effectively in this new regulatory environment, I propose to require that relevant records in a dealer's licence holder and ammunition seller's record books must be provided to Police in a form and manner, and at a frequency, directed by the Commissioner.

***Timeframe for providing information following an event (recommendation 36 - 37)***

- 97 The Arms Act enables regulations to prescribe the time in which a person must provide information following an event referred to in section 95(2).
- 98 I propose that a firearms licence holder is required to provide information to Police:
- immediately, during or following sale or supply of an arms item
  - as soon as practicable but no later than 30 days following purchase or receipt of an arms item
  - within five days of an arms item being manufactured, modified or destroyed
  - for notifications of imports, within 30 days after the date on which the arms item is released to the importer by the New Zealand Customs Service
  - for notifications of exports, within five days after the date on which the arms item is exported
  - immediately following the loss or discovery of a theft of an arms item.
- 99 I propose that from such time as dealers and ammunition sellers are required to provide information on transfer of arms items to Police, that this occurs at or immediately following the transfer. This timeframe aligns with established requirements to record details of transactions in dealers books under regulation 7F(4) of the Arms Regulations.

***Surrendering or disposing of unregistered firearms***

- 100 If a person decides they do not want to register their arms items they will need to dispose of them to a licence holder or hand them in to a dealer or to Police. The impending establishment of the Registry is an ideal time to promote the current surrender/amnesty provisions of the Arms Act. These apply to the surrender of firearms by those who do not want to continue to hold and register some or all of their firearms. This should be supported by a well-advertised and organised collection process. Police will commence this once the regulations for the Registry are published, and licence holders are fully informed of their obligations relating to the Registry.

**Persons other than licensed holders providing information to the Registry  
(recommendations 38 - 41)**

***Executors/administrators of estate and persons with power of attorney***

- 101 I propose that specified information must be provided to Police for inclusion in the Registry by:
- any executor/administrator of the estate of a deceased person who was in possession of an arms item/s
  - any person who has power of attorney or is otherwise authorised to deal with an incapacitated person's property, where that person is in possession of an arms item/s.
- 102 This information would need to include the following:
- a photocopy or electronically scanned copy or photograph of the death certificate and name and bona fides of administrator, or name of person who is subject to power of attorney and name and bona fides of person with power of attorney
  - if requested, a photograph of the arms item/s, according to guidelines
  - any identification markings (serial numbers)
  - any transfer of the arms item/s to a licensed dealer or firearms licence holder.

***Shooting Clubs***

- 103 The Arms Act requires shooting clubs to be approved by the Commissioner. Amendments to the Arms Regulations that came into force on 15 December 2022, will require shooting clubs to provide certain information to Police when applying for approval and at other prescribed times.
- 104 I propose that regulations provide for information to be provided by shooting clubs for inclusion in the Registry at a time to be determined by the Commissioner.

***Shooting Ranges***

- 105 The Arms Act requires shooting ranges to be certified by the Commissioner. Amendments to the Arms Regulations that came into force on 15 December 2022, require shooting range operators to provide certain information to Police when applying for certification and at other prescribed times.
- 106 I propose that regulations provide for information to be provided by or on behalf of shooting range operators for inclusion in the Registry at a time to be determined by the Commissioner.

***Firearms held for the benefit of a shooting club or stored on club premises of a shooting range***

- 107 A shooting club or shooting range operator must provide the detail of the firearms licence holder(s) responsible for the management of the firearms for the benefit of the club or range operator (if the range operator is not a dealer).
- 108 Where a firearms licence holder possesses arms items or ammunition on behalf of a shooting club or range operator (whether those items are stored at the club, a range, or in the licence holder's personal premises), that firearms licence holder will have responsibility for registration of those items in the same way as for their personal items (including, for example, when activating events occur either in relation to any of those items or their personal items). I propose to expressly clarify this in relation to the licence holder responsibilities.

**Accessing information in the Registry (recommendation 42)**

- 109 The Arms Act is silent on access to the Registry outside of direct access agreements between the Minister of Police and the Ministers of Conservation, Customs, Foreign Affairs, and Trade<sup>8</sup>. The Privacy Act 2020 provides for approved information sharing agreements by Order in Council.
- 110 I propose that the Commissioner ensures that, outside of direct access agreements and any approved information sharing agreements, access to the Registry is limited to:
- members of Police (as defined in the Arms Act) to obtain the details of licence holders and the arms items and ammunition in their possession where necessary for Police to fulfill its lawful functions
  - licence holders to view their own information, and to check on the licence, endorsement and permit status of persons they are buying or selling arms items or ammunition from or to.

**Duration of records in the Registry (recommendation 43)**

- 111 The Arms Act is silent on how long information should be retained in the Registry. I propose the period of retention end three years after the lifetime of the firearms licence holder including if, in the meantime, the licence has expired or been surrendered or revoked. Retention of records for this period of time will enable Police to track the ownership history of firearms, for example, when investigating an offence.

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<sup>8</sup> Refer to new sections 38Y to 38ZH of the Arms Act as amended by the Arms Legislation Act 2020.

**Application of regulations to the Department of Conservation  
(recommendations 44 - 45)**

- 112 The Arms Act provides that any requirement to provide particulars for inclusion in the Registry does not apply to arms items that are owned by the Crown, unless provided for in regulations. The Department of Conservation owns firearms and their employees who use them as part of their employment are appropriately licensed and endorsed in the same way as other firearms users.
- 113 The Department of Conservation has indicated that it would be useful to include its firearms in the Registry. However, a transition period is required to ensure that the Department has robust systems in place to centrally manage registration; and that the Registry can accommodate that there is both Crown ownership and personal possession involved, which is different from other firearms.
- 114 I therefore propose that regulations require firearms owned by the Department of Conservation to be recorded in the Registry at such time to be agreed between the Commissioner and the Director-General of Conservation. I also propose that the Minister of Police, after consultation with the Minister of Conservation, is invited to report back to Cabinet on how and when this proposal will be implemented as soon as is reasonably practicable after 24 June 2023 and no later than 24 June 2025.

**Information on arms items at a gun show (recommendation 46)**

- 115 The Arms Act requires a dealer to obtain Police consent to conduct business at a gun show. The Arms Regulations set out the details that must be provided as part of the application.
- 116 Instead of requiring the dealer to record details of arms items taken to gun shows in the Registry, I propose to amend the Arms Regulations to require the consent application to state the types and quantities of arms items that the dealer is taking to the show.

**Implementation**

- 117 Digital capability to support the Registry will be delivered in stages from 24 June 2023. While digital functionality for the Registry is being built, users will be able to provide information for Police to update the Registry and the wider AIS via non-digital channels. Police has established a call centre to enable licence holders and others to provide information on the phone. Police is establishing a branded business unit *Te Tari Pūreke – Firearms Safety Authority* as a dedicated regulator of the Arms Act which will be in operation from December 2022. Its responsibilities will include managing the Registry.
- 118 The Firearms Safety Regulator is developing an Arms Information System (AIS) to improve service delivery. The AIS is a secure system to store and manage information relating to firearms licence holders, firearms and other arms items such as magazines and major firearms parts, and locations of firearms. The registry is part of the AIS.

- 119 From this date, licence holders will be able to digitally and non-digitally upload details of all arms items in their possession whilst other processes such as digitally updating details or transferring an arms item/s will be delivered progressively as the technology build allows.

### **Financial implications**

- 120 The proposed regulations in this paper do not have any additional financial implications for Police over and above what has already been estimated for the establishment and operation of the Registry.
- 121 In the *'Arms Safety and Control: Detailed Business Case'*, the Registry is estimated to have a capital cost of \$20.089m excluding contingency [SWC-22-MIN-0021]. There is ongoing revenue to support the Registry, including licence fees which are expected to be around \$1.5 million per year.
- 122 At its meeting of 11 April 2022, Cabinet approved the inclusion of the Budget Initiative Arms Safety and Control for Vote Police in the 2022 Budget package. This included an overall investment in Arms Safety and Control of \$208 million across the four-year forecast period for the delivery of legislative responsibilities under the updated Arms Act. Of this, \$161.392 million has been set aside in the 'Implementation of the Arms Legislation Act', tagged operating and capital contingency.
- 123 No fees are proposed for entering information into the Registry or accessing the Registry.

### **Legislative implications**

- 124 Regulations are needed to operationalise new sections 93 to 96 of the Arms Act, which come into force on 24 June 2023.

### **Impact analysis**

#### ***Regulatory impact statement***

- 125 A regulatory impact statement is attached. A regulatory impact analysis panel in Police has reviewed the regulatory impact statement and considers that the information and analysis in it meets Treasury's quality assurance criteria.

#### ***Climate implications of policy analysis***

- 126 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**

- 127 About 240,000 New Zealanders hold a firearms licence.
- 128 I expect improvements to the firearms regulatory system will improve public safety by reducing criminal access to and misuse of firearms, consequently reducing the opportunities for people to become victims of firearms crime.

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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 <sup>9</sup> where there was an identified victim whose ethnicity was known. By 2020 this had increased to 37% <sup>10</sup> .
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

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

### Consultation

- 130 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; Ministry of Foreign Affairs and Trade; Ministry of Business, Innovation and Employment; Te Puni Kōkiri; Te Arawhiti Māori/Crown Relations; New Zealand Customs Service; Parliamentary Counsel Office.

### Communications

- 131 Police has been actively engaging with the firearms community on proposed regulations for the Registry since July 2022.
- 132 In early 2023, following and subject to Cabinet's confirmation of policy proposals in this paper, I intend to make an announcement on the direction of travel for the Registry. This will note key policy decisions, including where we have listened to submitters and ensured that only information necessary to meet the purposes of the Registry will be required by the forthcoming regulations. At the same time, a public facing analysis of submissions will be published on the Police website and submitters will be informed of the availability of this publication.
- 133 I plan to announce the new regulations when they are made (expected in April 2023). At the same time, Police will undertake an active and comprehensive communications plan through its website and community links to firearms-owning community organisations, dealers, and shooting clubs to raise awareness of the Registry and how licence holders are to interact with it.

9 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.

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

## Proactive release

- 134 In early January this paper will be proactively released, subject to any appropriate redactions, following and subject to Cabinet's confirmation of policy proposals in this paper. I also propose to release at the same time any other documents that support the policy and legislative decisions, with any necessary redactions.

## Recommendations

The Minister of Police recommends that the Committee:

- 1 **note** that on 24 August 2022 the Cabinet Social Wellbeing Committee agreed to the release of a discussion document containing detailed proposals for regulations to support the implementation of the Registry as required by provisions in the Arms Act that come into force on 24 June 2023 [SWC-22-MIN-0155]
- 2 **note** that Police received 416 submissions on the discussion document that have been analysed and considered in final proposals for amendments to the Arms Regulations 1992

## Proposals for regulations

### *Manner or form of providing information for the Registry*

- 3 **agree** that information that is to be provided to Police for inclusion in the Registry is to be provided in a manner or form to be determined by the Commissioner

### *Information on licence holders*

- 4 **agree** that firearms licence holders must provide the following information to Police for inclusion in the Registry:
  - 4.1 their full name, date of birth, contact phone number, email address, residential address and, if different, postal address
  - 4.2 the number and date of expiry of their firearms licence and every endorsement on the licence
  - 4.3 every condition on their firearms licence or endorsements additional to conditions imposed by the Arms Act 1983 or Arms Regulations 1992
  - 4.4 whether they are an ammunition seller
  - 4.5 information on locations approved by Police for the secure storage of arms items and ammunition either possessed by them or for which they are responsible on behalf of a shooting club or shooting range
- 5 **agree** that dealer's licences holders must provide the following information to Police for inclusion in the Registry:
  - 5.1 their full name, date of birth, contact phone number, email address, residential address and, if different, postal address

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- 5.2 the number and date of expiry of their dealer's licence and every endorsement on their dealer's licence
  - 5.3 every condition on the dealer's licence additional to conditions imposed by the Arms Act 1983 or Arms Regulations 1992
  - 5.4 the registered name of the business (for body corporates), the trading name (if any), and New Zealand Business Number (if any)
  - 5.5 the dealer's business address and, where the dealer is operating from more than one place of business, the addresses of those places
  - 5.6 the address of any separate warehousing/storage facilities they operate
  - 5.7 the names and firearms licence numbers and endorsements of their employees handling or having access to arms items or ammunition at the dealer's place of business.
- 6 **agree** that the above information from dealers is to be provided at the application or renewal of their dealer's licence

*Arms items to be recorded in the Registry*

- 7 **agree** that the Registry is to record particulars of the following arms items:
- 7.1 firearms (including prohibited firearms) but excluding antique firearms
  - 7.2 restricted weapons
  - 7.3 prohibited magazines
  - 7.4 major firearm parts (as defined in the Arms Regulations 1992)
  - 7.5 pistol carbine conversion kits

*Particulars of arms items to be recorded in the Registry*

- 8 **agree** that the particulars of a firearm (including prohibited firearms) but excluding antique firearms to be recorded in the Registry are:
- 8.1 make and model
  - 8.2 identification marking (serial number), according to guidelines
  - 8.3 type
  - 8.4 action
  - 8.5 calibre or gauge
  - 8.6 whether the firearm has a non-detachable magazine and if it does, its capacity
  - 8.7 if requested, a photograph of the firearm, according to guidelines
- 9 **agree** that the particulars of a restricted weapon to be recorded in the Registry are:
- 9.1 make and model
  - 9.2 identification marking (serial number), according to guidelines

- 9.3 type
  - 9.4 action
  - 9.5 calibre or gauge where appropriate
  - 9.6 if requested, a photograph of the firearm, according to guidelines
- 10 **agree** that the particulars of a prohibited magazine to be recorded in the Registry are:
- 10.1 make
  - 10.2 identification marking (serial number), according to guidelines
  - 10.3 type
  - 10.4 calibre or gauge
  - 10.5 capacity
- 11 **agree** that the particulars of a major firearm part to be recorded in the Registry are:
- 11.1 make and model
  - 11.2 description of the part (i.e. the action (frame, receiver, or upper receiver and lower receiver) of a firearm: the frame of a pistol: a calibre conversion component or kit of a pistol)
  - 11.3 identification marking (serial number), according to guidelines, unless it is incorporated or integrated into a firearm
- 12 **agree** that the particulars of a pistol carbine conversion kit to be recorded in the Registry are:
- 12.1 make and model
  - 12.2 identification marking (serial number), according to guidelines
  - 12.3 type
  - 12.4 calibre or gauge
  - 12.5 if requested, a photograph of the firearm, according to guidelines
- Identification marking*
- 13 **agree** that a firearms licence holders is required to place identification marking (serial numbers) on firearms, prohibited magazines, major firearm parts, restricted weapons, and pistol carbine conversion kits they possess (including on behalf of shooting clubs or shooting ranges) which do not already have marking, according to guidelines made by Police, before they register those arms items with Police
- 14 **agree** that the regulations are amended to enable Police to grant individual exceptions for a firearms licence holders to marking requirements, similar to the current exemption from marking requirements that can be applied to a dealer's licence which guidelines on marking will take into account

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- 15 **agree** to change the terminology in the regulations from “identification numbers” to “identifying marking (for example, a serial number) according to guidelines”

*Circumstances activating licence holders to provide information on all arms items in possession of a licence holder*

- 16 **agree** that a firearms licence holder, permit holder, or prescribed person as at 24 June 2023 must provide Police for inclusion in the Registry particulars of all arms items in their possession after any of the following circumstances occurring during the first five years of the Registry. These activating circumstances are when the person:

- 16.1 is applying for a licence or an endorsement
- 16.2 is notifying a change in circumstances, such as a change of address
- 16.3 has responsibility in relation to any of the following events involving an arms item:
  - 16.3.1 selling or supplying (other than temporary transfer of less than 30 days unless the item is a pistol, prohibited firearm, prohibited magazine, or restricted weapon)
  - 16.3.2 purchasing or receiving (other than temporary transfer of less than 30 days unless the item is a pistol, prohibited firearm, prohibited magazine, or restricted weapon)
  - 16.3.3 importing
  - 16.3.4 exporting
  - 16.3.5 manufacturing
  - 16.3.6 its theft, loss or destruction
  - 16.3.7 imports of ammunition
  - 16.3.8 sales of ammunition by dealers and ammunition sellers
  - 16.3.9 application for modification of a prohibited firearm to a non-prohibited firearm
- 16.4 is subject to compliance or enforcement action by Police under the Arms Act 1983
- 16.5 purchases ammunition from a dealer or ammunition seller after 24 June 2025

*Arms items and their particulars to be recorded following an activating circumstance*

- 17 **agree** that the information to be provided by licence holders following the activating circumstances is the information about the licence holder, and the arms items in their possession and their particulars, that must be recorded in the Registry as set out in recommendations 4 - 12.

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*Timeframe for providing information following an activating circumstance*

- 18 **agree** that from 24 June 2023, an individual firearm licence holder will be required to provide information on all of the arms items in their possession (including if possessed on behalf of a shooting club or shooting range) within 30 days after involvement in an activating circumstance unless a later period is agreed with the Commissioner, which in no case can be longer than 60 days after the activating event
- 19 **agree** that a dealer's licence holder will be required to provide information on all of the arms items in their possession (if they have been involved in an activating circumstance) at a time(s) as directed by the Commissioner within a period that can be no later than 24 June 2025

*Final date for providing information on possession of arms items*

- 20 **agree** that the final date for the provision to Police by all licence holders of all relevant information on the arms items they possess is 31 August 2028, if none of the activating circumstances have occurred by 24 June 2028

*Transfers (sale/supply or purchase/receipt) of arms items and associated transactions*

- 21 **agree** that from 24 June 2023 a firearms licence holder must provide to Police for inclusion in the Registry relevant details on all transfers of arms items to another firearms licence holder (other than temporary transfer of less than 30 days unless the item is a pistol, prohibited firearm, prohibited magazine, or restricted weapon).
- 22 **agree** that a dealer's licence holder must provide to Police for inclusion in the Registry relevant details of all transfers of arms items to individuals and to another dealer's licence holder (other than temporary transfer of less than 30 days unless the item is a pistol, prohibited firearm, prohibited magazine, or restricted weapon) from such time as the dealer has provided Police with information on all arms items in their possession (refer timeframe set out in recommendation 19)
- 23 **agree** that until such time as a dealer's licence holder has provided information on all arms items in their possession, they must continue to record relevant details on sales of arms items to individuals and other dealers in their record books
- 24 **agree** that licence holders must provide to Police for inclusion in the Registry relevant details of transfers by mail order or over the internet, either in the manner currently required under section 43A or the permit to possess process, or in a manner or form to be determined by the Commissioner.
- 25 **agree** that the relevant details to be recorded in the relation to transfers of arms items are
- 25.1 In the case of items sold or supplied:
- 25.1.1 the date any item was delivered

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- 25.1.2 the name and licence number of the person to whom an item is delivered
- 25.1.3 in the case of a pistol, prohibited firearm, prohibited magazine, pistol carbine conversion kit, or restricted weapon delivered to a person who requires a permit to possess it, the date and number of the permit
- 25.1.4 particulars of the item as set out in recommendations 7 - 12
- 25.2 In the case of items purchased or received:
  - 25.2.1 the date the item was received
  - 25.2.2 the name and firearms licence number of the person from whom the item is received (unless the arms item is surrendered within five days by a licensed dealer to a member of the Police)
  - 25.2.3 particulars of the item as set out in recommendations 7 - 12

### *Imports and exports of arms items*

- 26 **agree** that a firearms licence holder must provide to Police for inclusion in the Registry relevant details on importations of arms items either in the form it is currently provided, or in a manner or form to be determined by the Commissioner, with the notification period remaining at 30 days after the item has been released by the New Zealand Customs Service
- 27 **agree** that a firearms licence holder must provide to Police for inclusion in the Registry relevant details on exportations of arms items from New Zealand only if an export controls permit number issued by the Ministry for Foreign Affairs and Trade is required

### *Manufacture*

- 28 **agree** that a firearms licence holder must provide to Police for inclusion in the Registry relevant details of arms items manufactured for sale, hire, lending or other supply, or for personal use, including the particulars of the item in recommendations 7 - 12 and the date on which the arms item's manufacture is completed

### *Loss, theft or destruction*

- 29 **agree** that in the event of the loss, theft or destruction of an arms item in the Registry, including any pistol, pistol carbine conversion kit, prohibited firearm, prohibited magazine or restricted weapon, the details to be provided for the Registry are the date of this occurrence, details of the firearm, and its last known location

### *Imports of ammunition*

- 30 **agree** that licence holders must provide to Police for inclusion in the Registry relevant details of imports of ammunition (which is to include its type and quantity) through the current notification process

*Sales of ammunition by dealers and ammunition sellers*

- 31 **agree** that dealer's licence holders and ammunition sellers must provide to Police for inclusion in the Registry relevant details on sales of ammunition, to include the date on which the seller hands over or dispatches the ammunition, the type and quantity of ammunition sold, the name and firearms licence number of the purchaser or the person supervising the purchaser
- 32 **agree** that until such time as the Commissioner provides for a dealer's licence holder and an ammunition seller to record the relevant details in recommendation 31 in the Registry, they must continue to record transaction information on ammunition in their record books

*Modification of firearms*

- 33 **agree** that licence holders must provide to Police for inclusion in the Registry relevant details of any modification of a prohibited firearm into a non-prohibited firearm which must include details of the firearm before and after modification, and the certification from a person authorised by Police that the modification has been properly carried out and is irreversible

*Dealers and ammunition sellers record books*

- 34 **agree** that a dealer's licence holder and an ammunition seller must make their record books available to Police in a form and manner, and at a frequency, directed by the Commissioner

*Relevant details to be recorded following an event*

- 35 **agree** that, unless specified otherwise, the relevant details to be recorded following an event are those that need to be recorded in the Registry as set out in recommendations 7 - 12

*Timeframe for providing information following an event*

- 36 **agree** that from 24 June 2023, a firearms licence holder is required to provide relevant details to Police of transfers of arms items:
- 36.1 immediately, during or following sale or supply of an arms item
  - 36.2 as soon as practicable but no later than 30 days following purchase or receipt of an arms item
  - 36.3 within five days of an arms item being manufactured, modified or destroyed
  - 36.4 for notifications of import, within 30 days after the date on which the arms item is released to the importer by the New Zealand Customs Service
  - 36.5 for notifications of exports, within five days after the date on which the arms item is exported
  - 36.6 immediately following the loss or discovery of a theft of an arms item

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- 37 **agree** that, from such time as a dealer's licence holder or an ammunition seller is required to provide Police with relevant details of transfers of arms items, they must provide the relevant details at or immediately following the time of the event

### *Executors/administrators of estate and persons with power of attorney*

- 38 agree that any executor/administrator of the estate of a deceased person who was in possession of an arms item/s and/or any person who has power of attorney or is otherwise authorised to deal with an incapacitated person's property where that person is in possession of arms item/s must provide the following specified information to Police for inclusion in the Registry:
- 38.1 a photocopy or electronically scanned copy or photograph of the death certificate and name and bona fides of administrator, or name of person who is subject to power of attorney and name and bona fides of person with power of attorney
  - 38.2 if requested a photograph of the arms item/s
  - 38.3 any identification markings (serial numbers)
  - 38.4 any transfer of the arms item/s to a dealer's licence holder or firearms licence holder

### *Shooting clubs and shooting ranges*

- 39 **agree** that information required under the Arms Act 1983 or Arms Regulations 1992 to be provided to Police by or on behalf of shooting clubs, or by individuals about participation in shooting club activities, may be entered digitally into the Registry when the Commissioner allows it
- 40 **agree** that information required under the Arms Act 1983 or Arms Regulations 1992 to be provided to Police by or on behalf of shooting range operators, may be entered digitally into the Registry when the Commissioner allows it
- 41 **agree** that where a firearms licence holder possesses arms items or ammunition on behalf of a shooting club or shooting range, that firearms licence holder has responsibility for registration of those items

### *Accessing information in the Registry*

- 42 **agree** that the Commissioner must ensure that, outside of direct access agreements under new sections 38Y to 38ZH of the Arms Act 1983 and any approved information agreement by Order in Council, the Registry or any part of the Registry is only accessed by the following persons or class of persons:
- 42.1 licence holders to access and verify their own information, seek correction if they find it to be inaccurate and advise any updates. This includes personal information they submitted with their firearms licence and/or endorsement application and the list of their firearms
  - 42.2 a firearms licence holder to indirectly verify (through a digital tool) the firearms licence status of a person to whom they are selling or supplying or from whom they are acquiring arms items or ammunition

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- 42.3 a firearms licence holder selling a pistol, restricted weapon, prohibited firearms or prohibited magazine to indirectly verify the purchaser's endorsement and permit to possess
- 42.4 a dealer's licence holder to indirectly verify the firearms licence status of a person to whom they are selling or from whom they are acquiring arms items or ammunition, and that person's licence endorsement status and the number of the permit to possess if that person is acquiring from the dealer a pistol, pistol carbine conversion kit, restricted weapon, prohibited firearms or prohibited magazine
- 42.5 licence holders selling through mail order or internet site non-prohibited firearms to indirectly verify the purchaser's authorisation to take possession
- 42.6 members of Police to obtain the details of the arms items in the possession of a firearms licence holder, a dealer's licence holder, or an ammunition seller and details of their addresses and contact details where necessary for Police to fulfill its lawful functions

### *Duration of records in the Registry*

- 43 **agree** that the Registry is to hold records of firearms licence holders for the duration of their life plus three years, including if, in the meantime, the licence has expired or been surrendered or revoked

### *Requirement for the Department of Conservation to provide particulars for inclusion in Registry*

- 44 **agree** to require firearms owned by the Department of Conservation to be recorded in the Registry at such time as to be agreed between the Commissioner of Police and the Director-General of Conservation
- 45 **invite** the Minister of Police report back to Cabinet on progress on how and when this proposal will be implemented, after consultation with the Minister of Conservation, as soon as is reasonably practicable after 24 June 2023 and no later than 24 June 2025

### *Information on arms items at a gun show*

- 46 **agree** to amend the regulatory requirements for the provision of information when dealers apply for consent to conduct business at a gun show, to require the application to state the types and quantities of arms items that the dealer is taking to the show

### *Process for the regulations*

- 47 **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

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- 48 **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
- 49 **invite** the Minister of Police to report back to the Cabinet Legislation Committee with draft regulations for submission to the Executive Council
- 50 **note** that the implementation of the new regulations relating to the Registry will not require additional funding.

Authorised for lodgement

Hon Chris Hipkins  
Minister of Police

PROACTIVE RELEASE

## **Appendix 1 – Firearms registry regulations consultation report back to Cabinet**

### **High level summary of submissions on discussion document**

Most submitters said that the proposals will not achieve the intended benefits and outcomes. Some submitters highlighted that there was little evidence to suggest that a registry would achieve the intended benefits of making the community safer. They often pointed to how registries in other jurisdictions have not worked. Others noted that providing information about licensed firearms owners and dealers would not improve or address existing issues around criminal behaviour or illegal possession and use of firearms.

Most submitters said the Registry was not a good use of time, money and resources, and did not believe it would be adequately maintained. Some cited examples of failed registries and other firearms recording systems both in New Zealand and around the world. Some cited how long it currently takes to get a firearms licence application processed to demonstrate why they doubt the New Zealand Police (Police) have the capacity to manage a registry.

Most submitters raised concerns about the privacy and security of the information to be held within the Registry. In particular, these submitters expressed a lack of confidence in the Police's ability to keep information in the Registry safe, secure, and accurate, and were worried about the Registry being vulnerable to hacking or that personal information would otherwise 'fall into the hands of criminals.' These submitters often referred to how government agencies are a key target for hackers, and pointed to examples of privacy breaches such as the Auckland Central Police Station and recent hacking attempts on medical centres in New Zealand.

Many submitters expressly and implicitly supported the principle of firearms safety and keeping firearms out of the "wrong" hands. However, some submitters said the resources entailed in the Registry would be better utilised elsewhere, because the people who are going to use the Registry were not the cause of issues with firearms safety, crime and violence.

Many submitters expressed a view that the regulations are being imposed on law-abiding citizens instead of gangs and criminals.

Some submitters offered constructive feedback, which mainly centred around specific proposals or simplifying the registry or reducing its scope. For example, information (i.e., addresses, storage location) should be stored separately from personal and other details (like names, firearm types etc) in the registry to increase security for firearm licence holders. The details of a firearm licence holder, their addresses where they store their firearms, the details of what firearms they own need to be stored separately, but should be linked by a common identification number. The separation of this information would increase the security for the firearm licence holder.

Some submitters said that the proposal requires too much information to be provided for the registry. These submitters suggested that much of the information that the

Police require is already available or captured as part of the firearms licence registration and vetting process, and that the Registry will unnecessarily duplicate this information. Submitters also cautioned that requiring the proposed amount of information would be overly time-consuming and burdensome for firearm licence holders.

Some submitters did not support the inclusion of specific items proposed, for example, information about all storage locations and health practitioners, the inclusion of restricted airguns as a registered arms item and records of ammunition sales.

Some submitters said that the proposals were too repetitive, complicated, or difficult to understand, and suggested that the Registry should be kept simple and straight forward.

Some submitters also raised concerns with the proposed requirement to provide addresses and other details relating to firearm and ammunition storage locations. Submitters considered that having itemised firearm information linked to names and addresses risked the safety of firearms licence holders and their families and could result in a 'shopping list' for criminals.

PROACTIVE RELEASE

## Report back on consultation and analysis of submissions on proposals for firearms registry regulations

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
<b>Particulars concerning licence holders</b>			
<p>The Arms Act requires that the Registry records:</p> <ul style="list-style-type: none"> <li>every licence holder's full name, date of birth, address, the number and expiry date of every type of licence they hold</li> <li>every endorsement on those licences and every condition on those licences and endorsements additional to those imposed by the Arms Act or regulations.</li> </ul> <p>This includes visitors who are issued with visitor firearms licences.</p> <p><b>For firearms licence holders:</b> The discussion document proposed the Registry also record firearms licence holders' email addresses, contact phone numbers, postal addresses if these are different from residential addresses, whether they are an ammunition seller, information on their storage arrangements, and the names and contact details of their health practitioners</p> <p><b>For dealer's licence holders:</b> The discussion document proposed the Registry also record:</p> <ul style="list-style-type: none"> <li>if applicable, the registered name of the business, the trading name and the New Zealand Business Number</li> <li>the address of any separate warehousing/storage facilities they operate and the total number of firearms that each such place has the capacity to store</li> <li>the names of employees handling arms items or ammunition at the dealer's place of business.</li> </ul>	<p>Overall submitters felt uncomfortable with the amount of information required and whether it was necessary and aligned with the provisions in the Arms Act.</p> <p>Some opposed recording of health practitioner information.</p> <p>Some considered the requirement for firearms licence holders to provide the 'addresses of all locations where they store specified arms and ammunition in their possession and the capacity of each storage unit' would cause considerable confusion as farms often have multiple locations where firearms are stored. Submitters suggested that the requirement be limited to the primary place firearms are stored (house, workshop etc) and not every possible location firearms could be temporarily stored (e.g. huts, maimai, outbuildings on farms when staying there).</p> <p>Submitters also considered that it was difficult to be precise about the capacity of storage facilities resulting in variable interpretation.</p> <p>Submitters provided few comments on proposals for dealers.</p>	<p>Police consider that concerns relating to storage capacity and storage locations are valid and that only requiring information on the locations approved by Police for the secure storage of their arms items and ammunition is sufficient of the purpose of the Registry.</p> <p>Regarding health practitioner information, currently, firearms licence applicants must provide details of their health practitioner to Police so the practitioner can notify Police of any concerns in relation to the applicant's fit and proper status to hold a licence.</p> <p>Health practitioners do not have direct involvement in the acquisition and transfer of arms items and will not have access to the Registry. Those with access to the Registry to check a person's licence status or their holdings and storage of arms items will not need to know details of licence holders' health practitioners. Police consider that these are valid reasons for not including this information in the Registry and recommend amending the proposal to remove this requirement.</p>	<p>Do not require health practitioner information.</p> <p>Do not require storage capacity.</p> <p>Do not require licence holders to itemise each specific location against each arms item. Instead require information on the locations approved by Police for the secure storage of their arms items and ammunition either possessed by them or for which they are responsible on behalf of a shooting club or shooting range.</p> <p>Include the firearms licence numbers and endorsements of dealer's employees handling or having access to arms items or ammunition.</p> <p><b>[Note that the proposals to require health practitioner, storage capacity, and location of each arms item flows into other proposals discussed below which submitters also commented on (largely opposed). As these proposals have been amended to not require this information, those related proposals and submissions are not analysed]</b></p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
			or discussed further in this report back]
<b>Arms items to be recorded in the Registry</b>			
<p>The Arms Act requires that the Registry records:</p> <ul style="list-style-type: none"> <li>firearms (including prohibited firearms) excluding antique firearms</li> <li>prohibited magazines</li> <li>restricted weapons</li> </ul> <p>The discussion document proposed the Registry also record particulars about the following arms items possessed by each holder of a firearms licence or dealer's licence:</p> <ul style="list-style-type: none"> <li>major firearm parts [the action (frame, receiver, or upper and lower receiver) of a firearm, the frame of a pistol, and a calibre conversion component or kit of a pistol]</li> <li>restricted airguns</li> <li>pistol carbine conversion kits.</li> </ul> <p>Major firearm parts are as already defined in the Arms Regulations 1992.</p>	<p>Majority of submitters agreed or partially agreed with this proposal.</p> <p><i>Restricted airguns</i></p> <p>Some disagreed that restricted airguns should be registered since a person does not require a firearms licence to possess them, unless they are 16 or 17 years old. Once an airgun is transferred to a non-licence holder, the Registry would not be able to keep track of it. Firearms licence holders would be registering them but non-licence holders would not. Others submitted that including restricted airguns would include some non-lethal airsoft and paintball airguns which do not need to be recorded.</p> <p><i>Major firearms parts</i></p> <p>Some submitters did not support the registration of major firearms parts, and considered it would: overcomplicate the system, increase the chance of inaccuracies, and be of little use, as incomplete firearms cannot be used.</p> <p><i>Antique firearms</i></p> <p>A few submitters considered that antique firearms should be included in the Registry (whereas they were excluded in the discussion paper).</p>	<p><i>Restricted airguns</i></p> <p>Police consider that concerns relating to restricted airguns are valid</p> <p>One option would be to register restricted airguns only if the licence holder is aged 16 or 17 years old, when their licence status is relevant to the possession of a restricted airgun (and possibly exclude restricted airguns used in airsoft or paintball sports).</p> <p>This option would be complex to implement and confusing as to why some restricted airguns are included when their changes of ownership cannot be tracked through the Registry. On balance, Police consider that restricted airguns do not need to be recorded in the Registry.</p> <p><i>Major firearms parts</i></p> <p>Police consider that failing to require the registration of major firearms parts would make it very easy for firearm owners to avoid registration by simply storing and buying/selling disassembled firearms or restricted weapons.</p> <p><i>Antique or other firearms</i></p>	<p>Do not require the Registry to record restricted airguns.</p> <p><b>[Note that the proposal to record restricted airguns flows into other proposals discussed below which submitters also commented on (largely opposed). As this proposal has been amended to exclude restricted airguns, those related proposals and submissions are not analysed or discussed further in this report back]</b></p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
	<p><i>3D printed firearms</i></p> <p>A few submitters suggested that 3D printed firearms should be subject to the requirements.</p>	<p>Police consider that antique firearms should remain excluded. A review of overseas registration regimes showed that generally owners of antique firearms (albeit the definition of an antique firearm varies considerably) are exempt from any obligation to register their firearms. This appears to be on the basis that these firearms could not reasonably pose a material public safety risk and it would therefore impose an unnecessary burden to require owners to register them (particularly museum pieces and collectibles).</p> <p><i>3D printed firearms</i></p> <p>A 3D printed firearm would fall within the current definition of a 'firearm.'</p>	
Particulars of arms items to be recorded in the Registry			
<p>The Arms Act requires that the particulars of the make, model, and identifying markings of firearms, restricted weapons, and prohibited magazines and their location are recorded in the Registry. Other particulars may be required by regulations made under section 74.</p> <p>The discussion document proposed that:</p> <ul style="list-style-type: none"> <li>• particulars of firearms also include type, action, calibre or gauge, details of the magazine if it is detachable, identifying features if any (e.g. damage, repairs, marks), and if requested a photograph of the item, according to guidelines</li> <li>• particulars of restricted weapons also include type and, if requested, a photograph</li> </ul>	<p>Most submitters agreed or partially agreed with this proposal. Many submitters who did not agree considered that the amount of information required was too much.</p> <p>Some submitters considered the proposed list of particulars included more than is necessary to identify a firearm. The type, make, model, calibre and serial number were considered sufficient.</p> <p>Some submitters questioned the Registry recording identifying features of items, arguing that these could change over time, rendering the information of limited value. Some</p>	<p>Police consider that the identifying details of firearms and prohibited magazines is too open a field, as this would need to be recorded as free text. Information needs to be in a form that can be easily captured in drop-down menus.</p> <p>Police consider that for firearms, information on magazines should include the critical information of whether the firearm has a non-detachable magazine and, if it has, what the magazine capacity is.</p> <p>The provision of photographs was provided for in the proposals on an if requested basis only, with a view to</p>	<p>Simplify information required about detachable magazines.</p> <p>Remove requirement for identifying features (damages, repairs, carvings, etc).</p> <p>Include for major firearms parts the description of the part (i.e. the action (frame, receiver, or upper receiver and lower receiver) of a firearm: the frame of a pistol: a calibre conversion component or kit of a pistol).</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
<ul style="list-style-type: none"> <li>particulars of prohibited magazines also include type (e.g. box, rotary), identifying features if any, and capacity</li> <li>particulars of restricted airguns also include type, identification marking (unless an airgun used in paintball and airsoft sports) and, if requested, a photograph</li> <li>particulars of pistol carbine conversion kits also include type, identification marking and, if requested, a photograph</li> <li>particulars of major firearms parts also include (unless it is incorporated or integrated into a firearm) identification marking (serial number) according to guidelines.</li> <li>for all items, the address of the location where they are stored.</li> </ul> <p>Police will obtain this information when a licence holder is:</p> <ul style="list-style-type: none"> <li>involved in an event set out in section 95(2) as prescribed in regulations proposed below</li> <li>required to provide the information after the registry has been operating for five years in accordance with regulations proposed below.</li> </ul>	<p>commented that photographs of items would create a significant workload and it could be a complicated exercise for licence holders to produce quality images of value.</p>	<p>this not being a requisite until such time as the Registry had a capability to record them. It is anticipated that when this time comes, more licence holders will be in a position with assistance from Police, if necessary, to provide appropriate photographs.</p> <p>There is scepticism in the firearms community over the usefulness of identification marking/serial numbers being recorded as criminals will attempt to remove them from illegally acquired firearms. However, there are now an increasing number of processes available to law enforcement for restoring/recovering them when they seize illegally obtained firearms.</p>	
<b>Dealers' recording requirements</b>			
<p>The discussion document proposed that Regulation 7 (which sets out the particulars that dealers must record when they receive, manufacture, or deliver arms items) would be amended to align with the particulars that are proposed to be recorded in the registry.</p>	<p>Most submitters disagreed with this proposal noting it asks for too much information.</p>	<p>Alignment is not possible as not all items that dealers need to record in their record books will need to be recorded in the registry, for example restricted airguns.</p>	<p>Do not align requirements for dealers books with that required for the Registry.</p>
<b>Identification marking</b>			
<p>The Arms Regulations require all firearms, pistols, pistol carbine conversion kits, prohibited firearms, restricted</p>	<p>There was strong opposition to this proposal. Submitters raised the</p>	<p>Antique firearms are not being recorded in the Registry and under</p>	<p>Require the marking of all firearms possessed by licence holders (not</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
<p>airguns, blank-firing guns, restricted weapons, prohibited magazine, and major firearm parts that are imported or received by a dealer, to be stamped or engraved with an identification number. All such items that are manufactured, other than prohibited firearms which cannot be manufactured in New Zealand, must also be stamped or engraved with an identification number.</p> <p>To support the proposed requirement for licence holders to provide identification (serial) numbers for their firearms (for inclusion in the Registry), the discussion document proposed that the regulations would be amended to:</p> <ul style="list-style-type: none"> <li>• require all firearms licence holders receiving arms items to place identifying markings on any of those items that do not already have such markings, in accordance with guidelines issued by Police</li> <li>• change the terminology in the Arms Regulations from “identification numbers” to “identifying marking (for example, a serial number) according to guidelines”.</li> </ul>	<p>concern that identification markings added no public safety benefit and may devalue antiques and other items in the process.</p> <p>Some submitters suggested that existing numbers should be acceptable in most cases and requirements for new markings kept to a minimum.</p> <p>Submitters generally agreed that language and terminology should be consistent and agreed with the proposed change in terminology relating to marking in the regulations.</p>	<p>the regulations antique firearms are not required to have identification numbers.</p> <p>The Arms Regulations provide for Police to exempt dealers from marking requirements and it is consistent and reasonable, with the marking requirements being extended to firearms licence holders, that this exemption should also apply to them.</p> <p>For the Registry to record identification markings of all arms items, this proposal needs some modification to apply to all firearms possessed by licence holders (not just ones they receive after June 2023), that do not already have markings.</p>	<p>just ones they receive after June 2023), that do not already have markings, at a time prior to the item being recorded in the Registry</p> <p>Include ability for Police to provide exemptions for firearms licence holders to place identification marking, similar to that already provided for dealers.</p>
Transfers of arms items by firearms licence holders			
<p>The Arms Act will provide that licence holders must provide relevant details to Police of any sale/supply or purchase/receipt of any firearm or other item regulated under the Arms Act (other than a temporary transfer) in accordance with regulations.</p> <p>The discussion document proposed that the details for transfers of arms items by firearms licence holders would include:</p> <ul style="list-style-type: none"> <li>• the date of any transfer (received/delivered)</li> <li>• the name of the person (received from/delivered to)</li> </ul>	<p>Most submitters disagreed with this proposal. Some of those that disagreed expressed concern with the amount of information required and considered that requiring lots of information would create inconsistencies in the registry.</p> <p>Other submitters raised that having both the seller and the buyer uploading information about the transaction into the Registry could result in errors and mismatches in information. Submitters suggested that only one party should</p>	<p>What is proposed is the necessary information to record the details of this event as required under the Arms Act.</p> <p>Information from both suppliers and receivers of arms items is needed to reconcile the transfer. This may be provided for on one form that both parties can use.</p>	<p>No change to the proposal.</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
<ul style="list-style-type: none"> <li>the firearms licence number of the person from or to whom the item was received/delivered (except in the case of restricted airguns)</li> <li>In the case of items supplied, if a pistol, prohibited firearm, prohibited magazine, pistol carbine conversion kit, or restricted weapon delivered to a person who requires a permit to possess it, the date and number of the permit</li> <li>particulars of the item as set out above.</li> </ul>	upload the transaction to avoid errors and over-burdening licence holders.		
Transfers of arms items by dealers			
<p>The Arms Act will provide that licence holders must provide relevant details to Police of any supply or receipt of any firearm or other item regulated under the Arms Act (other than a temporary transfer) in accordance with regulations.</p> <p>The discussion document proposed that the details for transfers of arms items by dealers for the Registry would include:</p> <p>In the case of items received:</p> <ul style="list-style-type: none"> <li>the date the item was received</li> <li>the name of the person from whom the item is received (unless the item is an airgun or a firearm, pistol, pistol carbine conversion kit, prohibited item, or restricted weapon and the item is surrendered within five days by the licensed dealer to a member of the Police, in accordance with section 59A(2))</li> <li>the number of the firearms licence of the person from whom the item is received, unless: <ul style="list-style-type: none"> <li>the item is a pistol, prohibited item, or restricted weapon and the item is immediately surrendered by the licensed dealer to a member of the Police within five days</li> </ul> </li> </ul>	<p>Most submitters agreed or partially agreed with this proposal. Most of those that did not support this proposal noted that this would be overly burdensome for dealers and would not have any impact on public safety.</p> <p>Most submitters agreed with the proposals, however some suggested that the only information that should be required to update the Registry is licence and serial numbers. Those that provided this feedback thought this would reduce the risk of collecting too much information.</p> <p>Some submissions from dealers commented that recording dealer to dealer transactions has limited usefulness because the key function of the Registry is possession of arms items by firearms licence holders.</p>	<p>What is proposed is the necessary information to record the details of this event as required under the Arms Act.</p> <p>The requirement to provide information can be delayed to allow for Police to phase in the digital capability of the Registry. Dealers would still need to record transactions in their record books as required by regulations.</p>	<p>No change to the proposed details required.</p> <p>Recording of dealer to individuals or dealer to dealer (such as wholesaler to retailer or store to store) transfers in the registry will be required from such time as dealers have provided information on all arms items in their possession (at a time determined by the Commissioner but no later than 23 June 2025).</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
<ul style="list-style-type: none"> <li>○ the item is a restricted airgun received from a person of or over the age of 18 years.</li> <li>• particulars of the item as set out above</li> </ul> <p>In the case of items delivered:</p> <ul style="list-style-type: none"> <li>• the date any item was delivered</li> <li>• the name of the person to whom an item is delivered</li> <li>• except in the case of a restricted airgun delivered to a person who is of or over the age of 18 years, the number of the firearms licence of the person to whom an item is delivered</li> <li>• in the case of a pistol, prohibited firearm, prohibited magazine, pistol carbine conversion kit, or restricted weapon delivered to a person who requires a permit to possess it, the date and number of the permit</li> <li>• particulars of the item as set out above</li> </ul>			
Transfers by mail order and internet sales			
<p>The discussion document proposed that the information to be provided for the Registry on sales by mail order and internet sales would be:</p> <ul style="list-style-type: none"> <li>• the details as for other transfers</li> <li>• the date of the authorisation form</li> <li>• in the case of the seller, the date the authorisation form is received from Police.</li> </ul> <p>Alternatively, the purchaser could enter digitally into the Registry their details, those of the seller, and particulars of the item being sold, and receive confirmation of these via the Registry (which would replace the authorisation form). Then final details of the sale would also be entered.</p>	<p>Overall, submitters supported this proposal. Some submitters suggested that make, model and serial number is all that is required. Others queried how the Registry and the section 43A form for mail order/internet purchases would fit in together and expressed concern at doubling up on recording information.</p>	<p>What is proposed is the necessary information to record the details of this event as required under the Arms Act.</p>	<p>Allow for information to be provided in the manner currently required under section 43A or the permit to possess process, until such time that processing person to person mail order or internet sales digitally through the Registry is made available by the Commissioner.</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
<b>Sales of ammunition by dealers and ammunition sellers</b>			
<p>The Arms Act will provide that other events can be specified in regulations which will place obligations on licence holders to provide information to the Registry (section 95).</p> <p>The discussion document proposed that dealers and ammunition sellers must provide digitally to Police for inclusion in the Registry the particulars of their sales of ammunition that they are currently required to keep in a record book under regulation 7 and under section 22E. This includes the type and quantity of ammunition sold and the name and firearms licence number of the purchaser, or the person supervising the purchaser.</p>	<p>Majority of submitters agreed or partially agreed. Most of those who disagreed to partially agreed expressed concern with keeping track of ammunition as it is a consumerable would be unnecessary and of no benefit.</p>	<p>It is necessary for the Registry to record ammunition being imported, and the amount of ammunition sold to individuals, so that unusually large purchases are identified in real time and assessed for any possible risk. It is recognised that after those initial amounts there is little purpose in recording any subsequent transfers of ammunition between licence holders.</p>	<p>No change to proposal.</p> <p>Ensure requirements do not capture subsequent transfers of ammunition between licence holders.</p>
<b>Imports</b>			
<p>The Arms Act requires relevant details of the importation of arms items to be provided to Police in accordance with requirements prescribed in regulations. Regulation 13 already requires those importing arms items to notify Police of various particulars of themselves and the imported items within 30 days after the date on which the item is imported.</p> <p>The discussion document proposed that where an arms item or ammunition has been imported, the following details need to be provided to Police for inclusion in the registry, to the extent that this information is not already held in the registry:</p> <ul style="list-style-type: none"> <li>• full name of the import permit holder</li> <li>• address and occupation of the permit holder</li> <li>• number of the permit issued under section 18 or 18AA of the Arms Act</li> <li>• name and licence number of the dealer if a dealer has acted as agent for the importer</li> </ul>	<p>Most submitters agreed or partially agreed with this proposal. Many of those that did not agree questioned the benefit of recording the proposed details.</p> <p>Some submitters were concerned about the five day timeframe in which to provide information and considered this needed to be longer.</p>	<p>Further analysis has established difficulties with importers providing information prior to an import arriving in New Zealand, which would be an additional obligation to current requirements and would only provide temporary transitional information, superseded by notification of import information at the item's arrival in New Zealand.</p> <p>Police also considers that, in view of the steps involved for importers, the current requirement under regulation 13 to notify Police of imports within 30 days after the item has been released by Customs (which is by providing scanned documents by email) should be maintained until the Registry is</p>	<p>No change to the list of required information under regulation 13 which is to be provided under current processes. Firearms licence holders will be able to provide this information to the registry online once this capability is provided.</p> <p>Remove the two-stage notification proposal, so that notification for registry is only required after item released from Customs in New Zealand; and retention of the 30 day notification period.</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
<ul style="list-style-type: none"> <li>• licence number, unless the item is an airgun</li> <li>• description and country of origin of the item imported, including the identification number of the item</li> <li>• name of the manufacturer of the firearm, pistol, pistol carbine conversion kit, air pistol carbine conversion kit, restricted airgun, blank-firing gun, restricted weapon, magazine, prohibited part, or ammunition</li> <li>• place at which the firearm, pistol, pistol carbine conversion kit, air pistol carbine conversion kit, restricted airgun, blank-firing gun, restricted weapon, magazine, prohibited part, or ammunition was landed in New Zealand</li> <li>• date of importation</li> <li>• date on which and the place at which the permit under section 18 or 18AA of the Act was issued</li> <li>• particulars of the item as set out above</li> <li>• quantity of each item imported.</li> </ul> <p>This information is to be provided in two stages</p> <ul style="list-style-type: none"> <li>• when the importer has been advised by the supplier that the item has been dispatched (recording items, quantities and serial numbers)</li> <li>• within five working days after the date on which the item is released by Customs to the importer or the importer's agent.</li> </ul> <p>This proposed regulation to replace the current requirements in regulation 13 for persons to notify Police of arms items imported under a permit issued for the purposes of section 16(1).</p>		<p>able to provide for imported arms items to be registered digitally.</p>	
Exports			
<p>The Arms Act requires that the relevant details of the exportation of arms items must be provided to Police in accordance with requirements prescribed in regulations.</p>	<p>Most submitters agreed or partially agreed with this proposal.</p>	<p>Police considers that export information could be limited to when an export controls permit number is</p>	<p>Limit export information to when an export controls permit number is required by MFAT (which</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
<p>At present licence holders must provide Police with at least four days' notice of the intended removal from New Zealand of any of their prohibited firearm, prohibited magazine, pistol, or restricted weapon.</p> <p>The discussion document proposed that licence holders provide a number of particulars on exported (registrable) firearms to Police within five days after export.</p> <p>Regulations would require that the following particulars need to be provided by licence holders after an arms item is exported, to the extent that this information is not already held in the registry:</p> <ul style="list-style-type: none"> <li>• the name of the licence holder</li> <li>• details of the items exported</li> <li>• the licence number and in the case of pistols, restricted weapons, prohibited firearms or prohibited magazines, details of the endorsement and permit to which the item applies</li> <li>• the name and address to which the items are being sent</li> <li>• the date of export and proof of export</li> <li>• the export controls permit number, where applicable (i.e. unless not needed by the Ministry of Foreign Affairs and Trade).</li> </ul> <p>This is in addition to the requirements in section 38 (notifying Police within four days of the intended export).</p> <p>If an export is exempt from getting an export control permit number, the export should be marked as temporary in the registry and reimport confirmed when the item is returned to New Zealand.</p>	<p>Some of those that did not agree they questioned the benefit of recording the proposed details.</p> <p>Submitters noted that there is not much to be gained by recording the temporary removal of firearms from New Zealand by licence holders participating in shooting competitions or hunting overseas. They also noted that it is inconvenient for temporary licence holders having to enter export and import information associated with these trips.</p>	<p>required by the Ministry of Foreign Affairs and Trade (MFAT) (which excludes when taking sporting firearms overseas on hunting holidays or international shooting contests).</p>	<p>excludes when taking sporting firearms overseas on hunting holidays or international shooting contests).</p>
Manufacture			
<p>The Arms Act requires that the relevant details of the manufacture of arms items must be provided to Police</p>	<p>Most submitters disagreed with this proposal although there were no clear</p>	<p>What is proposed is the necessary information to record the details of</p>	<p>No change to the proposal.</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
<p>in accordance with requirements prescribed in regulations. Current regulations require that dealers must record items they manufacture.</p> <p>The discussion document proposed that regulations require that where an arms item is manufactured for sale, hire, lending or other supply, or for personal use, the dealer or firearms licence holder must provide the particulars of the item as set out for the arms items.</p>	<p>reasons given. Some noted that the amount of information required was overly burdensome and would lead to inaccuracies.</p>	<p>this event as required under the Arms Act.</p>	
<b>Loss, theft or destruction</b>			
<p>The discussion document proposed that in the event of loss, theft, or destruction of a licence holder's firearm, the following particulars would need to be provided to Police for inclusion in the registry:</p> <ul style="list-style-type: none"> <li>the date on which the firearm was lost, stolen, or destroyed</li> <li>the circumstances in which it was lost, stolen, or destroyed, including the last known location of the firearm</li> <li>such other particulars as may be required by the member of police to whom the loss, theft or destruction is notified.</li> </ul>	<p>Most submitters agreed or partially agreed with this proposal, although some suggested that it involved more detail than necessary being recorded in the Registry.</p>	<p>Police considers that the key information for the Registry is the event itself. Other particulars can be recorded on Police's National Intelligence Application (NIA) database. Also, if the firearm has yet to be recorded in the Registry or NIA, then the item could remain outside the Registry until it is recovered in the case of theft or loss.</p> <p>The Arms Act already requires notification of these events to be provided to Police for firearms, prohibited magazines and parts, and restricted weapons.</p>	<p>Simplify information required to:</p> <ul style="list-style-type: none"> <li>the date of occurrence</li> <li>details of the firearm</li> <li>its last known location.</li> </ul>
<b>Transfer of ammunition (excluding sales of ammunition by ammunition sellers of ammunition)</b>			
<p>The Arms Regulations already require Police to be notified of imports of ammunition.</p> <p>The discussion document proposed that a licence holder importing ammunition must provide the following details to Police for inclusion in the registry:</p> <ul style="list-style-type: none"> <li>the date of the import</li> <li>the type and quantity of ammunition imported</li> </ul>	<p>Most submitters disagreed with this proposal. Most submitters queried any recording of ammunition because it is a consumerable.</p>	<p>It is necessary for the Registry to record ammunition being imported, and the amount of ammunition sold to individuals, so that unusually large purchases are identified in real time and assessed for any possible risk.</p>	<p>No change to proposal.</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
<ul style="list-style-type: none"> <li>the number of the permit issued under section</li> </ul>		Requirements will not apply to the transfer of ammunition between individual licence holders.	
<b>Consents to conduct business at a gun show</b>			
<p>The Arms Act requires a dealer to obtain Police consent to conduct business at a gun show (at a place that is not their normal place of business). The Arms Regulations set out the details that must be provided as part of the application process.</p> <p>The discussion document proposed that a dealer who obtains consent under section 7A to conduct business at a gun show must provide the following details to Police for inclusion in the registry:</p> <ul style="list-style-type: none"> <li>name, business address, dealer's licence number</li> <li>address of gun show</li> <li>dates of gun show</li> <li>types and numbers of firearms and ammunition the dealer intends to have at the show</li> <li>how firearms and ammunition will be secured at the gun show in accordance with regulations</li> <li>date of consent.</li> </ul>	<p>Most submitters disagreed with this proposal. Many submissions questioned the usefulness of recording information that will only be valid for a brief period of time and only relates to the place of sale with there being no change to the sales information still needing to be provided online. Consent to participate in the gun shows should be sufficient with no further recording needed.</p>	<p>Police recognise that providing information on consents for conducting business at a gun show will duplicate information provided to them under current regulations when a dealer applies for consent.</p> <p>The current process also involves Police providing written consent to the dealer if their application is approved. This is recorded in NIA. Police consider there is little benefit recording this in the Registry as it relates only to a temporary location for sales which will subsequently be recorded in the Registry.</p> <p>An alternative, is to strengthen the regulatory requirements for the provision of information when dealers seek consent to conduct business at a gun show, in particular requiring types and quantities of arms items being taken to the show.</p>	<p>Remove this proposal as it is not necessary for the Registry and duplicates existing information obtained when dealers apply for consent.</p> <p>Instead amend the regulatory requirements for the provision of information when dealers apply for consent to conduct business at a gun show, to require the application to state the types and quantities of arms items that the dealer is taking to the show.</p>
<b>Modification of a firearm from a non-prohibited firearm to a prohibited firearm or from a prohibited firearm to a non-prohibited firearm</b>			
<p>The Arms Act will provide that other events can be specified in regulations which will place obligations on licence holders to provide information to the Registry (section 95).</p> <p>The discussion document proposed that a person who modifies a non-prohibited firearm to a prohibited firearm</p>	<p>Most submitters agreed or partially agreed with the proposal.</p> <p>Many submitters highlighted that compliance as an issue with this proposal as some who modify firearms do so to make them illegal weapons and</p>	<p>Manufacturing (including assembling) of a prohibited item is not generally permitted under the Act, so it is not appropriate to provide for modifications from non-prohibited to</p>	<p>Change proposal to remove inclusion of modification of a non-prohibited firearm to a prohibited firearm</p> <p>Enable certification of modifications to be undertaken by</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
<p>or the other way around would need to provide the following details to Police for inclusion in the Registry:</p> <ul style="list-style-type: none"> <li>the details of the firearms before and after modification</li> <li>the number of the permit to possess if converting to a prohibited firearm</li> <li>proof from the Police Armoury that the firearm has been appropriately modified</li> <li>the date of the modification.</li> </ul>	<p>therefore would not declare it. Declaring modified firearms to Police may make law abiding citizens nervous that they may have unintentionally modified the firearms beyond the boundaries of the law.</p> <p>Some submitters stated that needing the Police Armoury to inspect modified firearms would be overly burdensome. One suggestion was that a local arms officer could inspect them.</p>	<p>prohibited as was considered in the discussion document.</p> <p>Police agree that certification could also be undertaken by persons authorised by Police.</p>	<p>persons authorised by Police (not just by the Police Armoury).</p>
<b>How firearms licence holders will provide details for the Registry</b>			
<p>The Arms Act enables regulations to specify the manner or form in which information is required to be provided to Police for inclusion in the Registry.</p> <p>For firearms licence holders, the discussion document proposed that information may be provided to Police online through an internet site provided by the Commissioner, or by entering the information in a form prescribed or approved by the Commissioner that can be downloaded from the Police website and is also available from Police stations.</p>	<p>Most submitters agreed with this proposal. Many submitters highlighted the risk of input error especially with the large amount of information required.</p>	<p>As the digital capability of the Registry will be developed in stages, flexibility is needed in the form and manner of how information is provided to Police. This also provides flexibility for Police to retain non-digital channels if that is appropriate to assist licence holders with compliance.</p>	<p>Provide for information to be provided to Police in a manner or form to be determined by the Commissioner. This manner and form may change over time as secure digital channels are developed.</p>
<b>How transfers by dealers and ammunition sellers will be entered into the registry</b>			
<p>For dealers and ammunition sellers the discussion document proposed that that information must be provided online to Police for inclusion in the registry</p>	<p>Most submitters agreed with this proposal. Most submitters questioned how this would benefit public safety.</p>	<p>The intention is for dealers and ammunition sellers to only input information directly into the Registry. As the digital capability of the Registry will be developed in stages, flexibility is needed in the form and manner of how information is provided to Police.</p>	<p>Provide for information to be provided to Police in a manner or form to be determined by the Commissioner.</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
Timeframe to provide information on events			
<p>The discussion document proposed that the relevant details of any event that needs to be recorded in the registry must be provided to Police for inclusion in the registry within the following timeframes:</p> <ul style="list-style-type: none"> <li>• for transfers of arms items, the supplier must provide details of supply immediately, during or following a transfer. The receiver must provide details of receipt as soon as practicable but no later than five days after the transfer occurring.</li> <li>• within five days for an item being manufactured.</li> <li>• for notifications of import, within five days after the date on which the item is released to the importer by Customs.</li> <li>• for exporting, within five days after the date on which the item is exported.</li> </ul>	<p>Most submitters partially agreed with this proposal. Most submitters who disagreed said that the suggested timeframes were too short and this would lead to frustration and potential non-compliance. They considered that five days is unrealistic as it does not take into account factors such as rural or remote locations, limited internet access, or holiday periods.</p>	<p>Police consider that a longer timeframe for firearms licence holders who purchase and receive arms items would not significantly compromise the Registry and would provide more flexibility for the variable situations and locations in which people may receive an item. However records of sale and supply needs to occur immediately to keep track of the item for operational and public safety reasons.</p> <p>For dealers, under regulation 7F(4) of the Arms Regulations dealers are already required to record details of transactions in dealers books at or immediately following the event.</p> <p>The proposed requirements for importations do not align with notification of the arrival of imports in regulation 13 of the Arms Regulations.</p>	<p>Change proposal so that:</p> <ul style="list-style-type: none"> <li>• firearm licence holders will be required to provide information to Police: <ul style="list-style-type: none"> <li>○ immediately, during or following sale or supply of an arms item</li> <li>○ as soon as practicable but no later than 30 days following purchase or receipt of an arms item</li> <li>○ within five days of an item being manufactured, modified or destroyed</li> <li>○ for notifications of import, within 30 days after the date on which the item is released to the importer by Customs</li> <li>○ for notifications of exports, within five days after the date on which the item is exported</li> <li>○ immediately following the loss or discovery of a theft of an arms item.</li> </ul> </li> <li>• from such time as dealers and ammunition sellers are required to provide information on transfer events to Police, that this occurs at or immediately following the transfer.</li> </ul>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
<b>Prescribed persons</b>			
<p>The discussion document proposed that regulations would declare that a 'prescribed person' who may have obligations relating to the registry set out in Schedule 1, clause 14 of the Arms Act applies to:</p> <ul style="list-style-type: none"> <li>any person in possession of a firearm who may temporarily be unlicensed while their application for a new licence is being processed</li> <li>executors/ administrators of the property of, and persons with power of attorney for, individuals who were or are in possession of firearms.</li> </ul>	<p>Most submitters agreed with this proposal. Most submitters who disagreed found this proposal difficult to understand.</p> <p>Some submitters thought it unfair to include persons in possession of a firearm who may temporarily be unlicensed while their application for a new licence is being processed, because of the long processing times.</p> <p>Some submitters considered that an unlicensed person should just be able to hand in a firearm found in a deceased estate to the Police without being a prescribed person.</p>	<p>Unnecessary to include temporarily unlicensed people as application for a licence activates the requirement to register their arms items within 30 days.</p> <p>It is more appropriate that executors of estates and those with power of attorney have information requirements specified under regulation provisions in section 74(1) than being subject to Schedule 1, clause 4.</p>	<p>Remove proposal to include as a prescribed persons:</p> <ul style="list-style-type: none"> <li>those in possession of a firearm who may temporarily be unlicensed while their application for a new licence is being processed</li> <li>executors/ administrators of the property of, and persons with power of attorney for, individuals who were or are in possession of firearms.</li> </ul>
<b>Circumstances/events activating provision of information</b>			
<p>The Arms Act requires licence holders and prescribed persons to provide information for the Registry, including on all arms items in their possession, when certain circumstances take place during the first five years of the Registry. These circumstances are when the person:</p> <ul style="list-style-type: none"> <li>is applying for a licence or an endorsement</li> <li>is notifying a change in circumstances (such as a change of address)</li> <li>has responsibility in relation to an event referred to in section 95(2) (which would include, in relation to a firearms or other item regulated under the Arms Act, its: <ul style="list-style-type: none"> <li>sale, hire, loan or other supply to either a licence holder or non-licence holder under</li> </ul> </li> </ul>	<p>Most submitters disagreed with these proposals.</p> <p>Most submitters who did not agree with the proposal thought that there were too many activating circumstances to practically keep track of, which made compliance problematic. Most submitters who disagreed considered the inclusion of major parts to be overly complicated.</p> <p>Submitters also noted that having the purchase of ammunition by licence holders as an activating circumstance would create a massive spike in</p>	<p>The surrender or expiry of a licence is about ceasing to be a licence holder and arms items can only be registered by current licence holders. The relevant information for the Registry will be the receipt of arms items (from the former licence holder) by licence holders under the oversight of Police.</p> <p>For practical reasons it is considered sensible to delay making purchase of ammunition from a dealer or ammunition seller as an activating circumstance until 24 June 2025 to manage the operational load on the Registry system.</p>	<p>Remove the issuing of a licence and surrender or expiry of a licence as activating circumstances.</p> <p>Make the purchase of ammunition an activating circumstance only when this involves a sale by a dealer or ammunition seller to an individual (as distinct from private or dealer to dealer transactions).</p> <p>Delay making the purchase of ammunition from a dealer as an activating circumstance until 24 June 2025.</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
<p>immediate supervision (other than a temporary transfer)</p> <ul style="list-style-type: none"> <li>○ purchase or receipt (other than a temporary transfer)</li> <li>○ import and export</li> <li>○ manufacture</li> <li>○ theft, loss or destruction)</li> <li>• is subject to compliance or enforcement action by Police under the Arms Act.</li> </ul> <p>The discussion document proposed that regulations would prescribe other circumstances which would be the:</p> <ul style="list-style-type: none"> <li>• issuing of a licence upon determination of an application</li> <li>• purchase of ammunition</li> <li>• importation of ammunition</li> <li>• surrender or expiry of a licence</li> <li>• the occurrence of any of the circumstances described in section 24A(1).</li> </ul> <p>The licence holder would provide the particulars on the arms items in their possession as discussed in the sections above.</p>	<p>information provided to the registry very early on.</p> <p><b>[Note that submitters also commented on information that would have been required under proposals relating to particulars of arms items required and section 95(2) events (for example relating to health practitioners, restricted airguns, and private ammunition sales). These proposals have been removed and therefore are not further discussed in relation to activating circumstances here]</b></p>	<p>Information related to Section 24A(1) which is to do with fit and proper person assessment is already recorded by Police and is not necessary for the purposes of the Registry.</p>	<p>Include the following additional section 95 events as discussed above:</p> <ul style="list-style-type: none"> <li>• modification of a firearm</li> <li>• sales of ammunition by dealers and ammunition sellers</li> </ul> <p>Remove the occurrence of any of the circumstances described in section 24A(1).</p>
Time after an activating circumstance/event in which to provide information			
<p>The Arms Act leaves the time within and manner in which, a person must provide information following involvement with an activating circumstance to be prescribed by regulations.</p> <p>The discussion document proposed that there be a period of 14 days within which this must be done.</p>	<p>Most submitters disagreed with this proposal. Many said that the 14 day timeframe was too short.</p> <p>Some submitters suggested that because of the high numbers of licence holders needing to register their arms items early on, due to their purchase of ammunition, there should be a longer timeframe. Other submitters considered it to be impractical, particularly for those</p>	<p>Police has carried out further analysis on what the Registry will be capable of recording from day one. There would be a significant operational load on the Registry very shortly after day one if it is to record information on all arms items in the large stock holdings of dealers. It makes sense to delay registering all dealer holdings with full particulars of each item, while requiring the recording of all</p>	<p>Amend proposal so that individual firearm licence holders are required to provide information within 30 days after involvement in an activating circumstance. This will be unless a later period is determined by the Commissioner, which in no case can be longer than 60 days after the activating circumstance.</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
	<p>with large collections of firearms or a number of firearms that do not already have identification markings. These submitters suggested various alternative time periods from six months up to the period ending June 2028 for licence holders to register what they possess.</p> <p>Some submitters suggested that it was asking a lot for dealers to be uploading details of all their stock holdings within 14 days of day one. They supported a staged uploading of dealer stock holdings. Other submitters sought clarification on whether the 14 days was affected by the 30-day temporary transfer window.</p>	<p>transactions of items from day one to continue through dealer books until such time as they can be uploaded into the Registry.</p>	<p>Amend the proposal so that dealers are required to provide full information on their stock holdings from a time to be determined by the Commissioner within a period that can be no later than 24 June 2025.</p>
<b>Final date for the provision of information by licence holders on all specified arms items they possess</b>			
<p>Regulations would require that if a firearms licence holder possesses specified arms items on 25 June 2028 that have yet to be recorded in the registry, they will have five years, until 30 August 2028, to provide Police with particulars on those items for inclusion in the registry.</p> <p>The Arms Act leaves the final date of provision of information after the close of the five year period to be in accordance with regulations.</p> <p>The discussion document proposed that firearms licence holders would have until 30 August 2028 (just over two months) to provide Police with information on their holdings if after five years they have not been involved in a relevant event and not yet provided Police with that information.</p>	<p>Most submitters agreed with the final date. Those that disagreed considered that the grace period was redundant and that no further time should be given.</p>	<p>A final date is necessary.</p>	<p>No change to the proposal.</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
<b>Shooting clubs</b>			
<p>Regulations would provide that information required under the Act or Regulations to be provided to Police by or on behalf of shooting clubs, or by individuals about participation in shooting club activities, may instead be entered online into the registry when the Commissioner allows it.</p> <p>The Arms Act requires shooting clubs to be approved by the Commissioner. Regulations will require shooting clubs to provide certain information to Police when applying for approval and at other prescribed times.</p> <p>The discussion document proposed that regulations provide for information required under the Arms Act or Regulations to be provided to Police by or on behalf of shooting clubs, or by individuals about participation in shooting club activities, may instead be entered digitally into the Registry when the Commissioner allows it.</p>	<p>Most submitters did not agree with the proposal noting that this would be an additional burden on clubs.</p> <p>A few submitters also thought that it departed from the main purpose of the Registry which was to track firearms.</p>	<p>The proposal is intended to be an alternative way of presenting information that is already required.</p>	<p>No change to the proposal, but also clarify that firearms licence holders who possess arms items or ammunition on behalf of a shooting club (i.e. "club guns") have responsibility for registration of those items in the same way as for their personal items.</p>
<b>Shooting ranges</b>			
<p>The Arms Act requires shooting ranges to be certified by the Commissioner. Regulations require shooting range operators to provide certain information to Police when applying for certification and at other prescribed times.</p> <p>The discussion document proposed that regulations provide that information required under the Arms Act or Regulations to be provided to Police by or on behalf of shooting range operators, may instead be entered digitally into the Registry when the Commissioner allows it.</p>	<p>Most submitters did not agree with the proposal noting that this would be onerous for range operators.</p> <p>Some submitters suggested that range operators should be able to provide the required information in whichever format best suits the range operator, such as digitally or via other means, which is indeed the intent of the proposal.</p>	<p>The proposal is intended to be an alternative way of presenting information that is already required.</p>	<p>No change to the proposal, but also clarify that firearms licence holders who possess arms items or ammunition on behalf of a shooting range have responsibility for registration of those items in the same way as for their personal items.</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
<b>Executors/administrators of the estate of a deceased person who was in possession of firearms or a person who has power of attorney for a person who is in possession of firearms</b>			
<p>The discussion paper proposed that regulations would require that specified information must be provided to Police for inclusion in the Registry by:</p> <ul style="list-style-type: none"> <li>any executor/administrator of the estate of a deceased person who was in possession of firearms</li> <li>any person who has power of attorney for a person who is in possession of firearms.</li> </ul> <p>This information would need to include the following:</p> <ul style="list-style-type: none"> <li>a photocopy or electronically scanned copy or photograph of the death certificate and name and bona fides of administrator, or name of person who is subject to power of attorney and name and bona fides of person with power of attorney</li> <li>a photograph of the firearm</li> <li>any identification marking (serial number)</li> <li>any transfer of that firearm to a licensed dealer or firearms licence holder.</li> </ul>	<p>Most submitters agreed or partially agreed with this proposal.</p> <p>Many submitters who did not fully agree were concerned that this might be overly burdensome on executors and those with power of attorney who may have no knowledge of firearms.</p> <p>Some submitters thought that it should be enough for the executor to just provide information on the licence holder's death.</p>	<p>No expert knowledge of firearms is needed by executors or those with power of attorney to comply.</p>	<p>No change to the proposal in relation to information required.</p> <p>Clarify that obligation on a power or attorney or other authorised person is only when they are dealing with property of a person who is incapacitated.</p>
<b>Accessing information in the registry</b>			
<p>The Arms Act is silent on access to the Registry outside of direct access agreements between the Minister of Police and the Ministers of Conservation, Customs, and Foreign Affairs and Trade. The Privacy Act provides for approved information sharing agreements.</p> <p>The discussion document proposed that the following people would have access to the Registry:</p> <ul style="list-style-type: none"> <li>members of Police to obtain the details of licence holders and the arms items in their possession for the purposes of detecting, investigating or prosecuting offences.</li> </ul>	<p>Most submitters agreed or partially agreed with this proposal.</p> <p>Some submitters did not think there was a need for clubs and shooting range operators to have access to the registry, as they should rely on the sighting of a physical licence to verify a person's licence status.</p> <p>A few submitters wanted an authorisation process for accessing the</p>	<p>Police has made available on its website an online Firearms Licence Checker to enable confirmation that firearms licences are current.</p> <p>Police agree that shooting clubs and shooting range operators do not need to have access to the Registry.</p> <p>As part of security and privacy arrangements the Firearms Safety Authority will develop policy and rules around who in Police will have access</p>	<p>Remove proposed access to the registry for shooting clubs and shooting range operators.</p> <p>Remove "for the purposes of detecting, investigating or prosecuting offences" to enable Police to access the Registry to fulfil its functions more broadly.</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
<ul style="list-style-type: none"> <li>• licence holders to view, correct and update their own information, and to check on the licence, endorsement and permit status of persons they are buying or selling arms items from or to</li> <li>• shooting clubs to check on the licence status of members or potential members</li> <li>• shooting range operators to check on the licence status of range users.</li> </ul> <p>The information that could be accessed by persons other than Police with regard to the other persons' firearms licence would be to ascertain the status of their licence, endorsements and any permits to possess.</p>	<p>Registry and a record of who accesses the Registry.</p>	<p>to the Registry and the system will record who accesses the Registry which will be regularly audited for irregular and inappropriate conduct.</p> <p>The proposal for members of Police to have access to obtain the details of licence holders and the arms items in their possession for the purposes of "detecting, investigating or prosecuting offences" is too limited. This should cover all lawful functions of Police</p>	
Duration of records in the registry			
<p>The Arms Act is silent on how long information is retained in the Registry.</p> <p>The discussion document proposed that regulations require that the Registry holds records relating to firearms licence holders and arms items that they have possessed for the duration of the licence holder's life plus five years. The additional five years was for reconciliations of firearms possessed at a licence holder's time of death with their current location.</p>	<p>Most submitters did not agree with this proposal.</p> <p>Many submitters raised concerns about the extended period of time their information would be held for.</p>	<p>Police consider that the period of retention could, without risk, be reduced to three years.</p>	<p>Change retention period to three years after the lifetime of the licence holder.</p> <p>Clarify that this includes if, in the meantime, the licence has expired or been surrendered or revoked.</p>
Application of regulations to the Department of Conservation			
<p>The Arms Act provides that any requirement to provide any particulars for inclusion in the Registry does not apply in relation to any arms items that are owned by the Crown except to the extent provided by regulations. The Department of Conservation (DOC) owns firearms and their employees who use them as part of their employment are appropriately licensed and endorsed in the same way as other firearms users.</p> <p>The discussion document proposed that the requirements to provide information to Police for</p>	<p>Most submitters agreed with this proposal.</p>	<p>The Department of Conservation has indicated that it would be useful to include its firearms in the Registry. However, a transition period is required to ensure that the Department has robust systems in place to centrally manage registration; and that the Registry can accommodate that there is both Crown ownership and personal</p>	<p>Include Department of Conservation owned firearms in the Registry at a time to be agreed by the Commissioner and the Director-General of Conservation.</p>

Proposed regulation in discussion document	Submissions	Police analysis	Recommended change to proposed regulations
inclusion in the Registry apply to relevant arms items that are owned by the Department of Conservation. This would include Department employees providing details of arms items they possess in the same way as other firearms licence holders.		possession involved, which is different from other firearms.	

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