

PROACTIVE INFORMATION	
Updated Cabinet paper - <i>Arms Act 1983: Release of discussion document for public consultation on regulations for a firearms registry</i>	
	Date: 18 August 2022

Purpose

1. This paper provides you with:
 - an updated Cabinet paper *Arms Act 1983: Release of discussion document for public consultation on regulations for a firearms registry*
 - the updated discussion document for public consultation.

Executive Summary

2. Police provided you with a draft Cabinet paper and discussion document on proposals for regulations for a firearms registry on 25 July for consultation with your Ministerial colleagues.
3. This paper provides you with an updated draft Cabinet paper and discussion document, as well as a supplementary guide to required information in response to feedback from the Office of the Privacy Commission.
4. The discussion document has been amended to reflect feedback from agencies and Police stakeholder groups. Your Arms Advisory Group also provided feedback. The consultation section in the Cabinet paper has been updated accordingly.
5. These papers are scheduled to be lodged with the Cabinet Office by 10am on Thursday 18 August 2022, for consideration by the Cabinet Social Wellbeing Committee (SWC) on Wednesday 24 August 2022.

Recommendations

- a) **note** the attached updated Cabinet paper and discussion document on proposals for regulations for a firearms registry
- b) **agree** to lodge the attached papers with the Cabinet Office by 10am on Thursday 18 August 2022

The attached draft Cabinet paper seeks agreement for the release of the discussion document for public consultation

6. A draft Cabinet paper and discussion document were provided to you on 25 July to consult with your Ministerial colleagues [BR/22/28 refers].
7. Feedback received from agencies and Police stakeholder groups has been incorporated. Some minor technical feedback has also been received from your Arms Advisory Group and incorporated.
8. Ministerial consultation ended on 17 August with lodgement for SWC scheduled for 18 August. Consequently, we are providing you with updated papers now, before Ministerial consultation ends, to allow time to consider the updated papers.
9. We do not anticipate further feedback from Ministers but, if required, will provide any further updates when consultation has ended.

Key changes to the discussion

Security of information

10. The Office of the Privacy Commissioner requested more clarity around the security of the information in the registry, what the information in the registry will be used for, and further rationale for the inclusion of information.
11. To accommodate this feedback, we have put two additional sections into the discussion document:
 - 11.1. a section providing clarity around what measures will be taken to keep firearms licence holders information secure, including how access to the registry and use and information will be audited
 - 11.2. a section detailing why the registry will need the information detailed in the discussion document and what will be done with it.

Duration

12. The Ministry of Justice raised concerns about the duration of time firearms licence holders' information will be kept for after licence holders dying. In response to this feedback, we have reduced the time period from ten years to five years. This allows time to track possession of the firearms licence holders' arms items, in the event this is not done immediately following the death of a firearms licence holder.

Proposed fee

13. The previous draft discussion document included a proposed fee to recover the costs associated with the assessment of conversions of non-prohibited firearms to prohibited firearms or the reverse. This has been removed and will be included in the wider consultation on fees for firearms related activities.

Other changes

14. Other changes include:
 - 14.1. the addition of a supplementary document to clarify and compare the current information requirements from firearms licence holders and the new information requirements once the registry is established, to address feedback from the Office of the Privacy Commissioner

- 14.2. an additional question on whether regulation should apply to the Department of Conservation and its employees (the Act does not apply to arms items owned by the Crown, except to the extent provided by regulations)
- 14.3. removal of two requirements for information to avoid unnecessary administrative demands:
 - 14.3.1. confirmation by a firearms licence-holder that they do not possess any arms items on 24 June 2023
 - 14.3.2. advice from a firearms licence-holder at least three months before their licence expires, if they do not intend to apply for another licence, and the particulars of any firearms and other arms items still in their possession.
- 14.4. minor editorial changes.

The Cabinet paper and discussion document are scheduled to be considered by the SWC on 24 August 2022

15. Talking points will be provided to you before the meeting and officials can be available if required.

Next steps

16. We intend to commence public consultation as soon as possible following Cabinet approval.
17. Submissions may be made online or by email or post.
18. Police will issue a media statement announcing the release of the discussion document for public consultation and inviting interested parties to make a submission.

Reviewed by	Cherie Engelbrecht, Acting Director, Policy and Partnerships	s.9(2)(a) OIA
Approved by	Jeremy Wood, Executive Director, Policy and Partnerships	s.9(2)(a) OIA