

PROACTIVE INFORMATION	
Draft Discussion Document for public consultation on regulations for shooting clubs and ranges	
	Date of Response: 14 December 2021

Purpose

1. This paper provides you with an overview of the proposals in the Discussion Document for public consultation related to new and amended regulations to be incorporated into the Arms Regulations 1992. The proposals are about the regulation of shooting clubs and ranges.
2. The draft Discussion Document is attached for your reading over the recess period. Work on the Discussion Document will continue into the New Year and we aim to provide an updated and near final Discussion Document and draft Cabinet paper to you for approval on 3 February, to enable Ministerial consultation as soon as possible in the new year.
3. This will allow Police to finalise the Discussion Document and an accompanying Cabinet paper for consideration by Cabinet's Social Wellbeing Committee (SWC) on Wednesday 2 March and Cabinet on Monday 7 March. Following Cabinet decisions, public consultation is intended to take place from 9 March to 20 April 2022. Police would welcome any initial feedback you may wish to provide on the attached draft Discussion Document.

Police is developing draft regulations to support the implementation of Part 6 of the Arms Act 1983, which requires approval of shooting clubs and certification of shooting ranges. The provisions in the Act come into force on 24 June 2022.

To meet legislative requirements for consultation with those affected by the regulations, we intend to release a Discussion Document for public consultation on 9 March 2022, subject to Cabinet approval.

We are providing you with a draft Discussion Document setting out policy proposals for potential new regulations prior to finalising the document for your approval to consult with your Ministerial colleagues in early 2022. This timeframe will support the regulations coming into force as close as possible to 24 June.

As you are aware, the firearms policy work programme is extensive and has been affected by COVID **s.6(c) OIA, s. 9(2)(f)(iv) OIA**. **s.6(c) OIA, s. 9(2)(f)(iv) OIA**. As a consequence, it is likely the regulations will not be finalised until after 24 June 2022. However, Police has developed a plan to help minimise any impact of delay upon shooting clubs and ranges, noting they will have until June 2023 to make application for approval and certification.

The Arms Act will require approval of shooting clubs and certification of shooting ranges

4. The next group of changes to the Arms Act 1983 will come into force on 24 June 2022, and are in Part 6 of the Arms Legislation Act, which is about shooting clubs and ranges.
5. As part of the implementation of Part 6, regulations must be made to provide clear and comprehensive directions on expectations around legislative requirements. These new regulations will be added to the Arms Regulations 1992.
6. The focus of Part 6 is the requirement for approval of shooting clubs and certification of shooting ranges by the Police Commissioner, plus associated provisions to support these changes. Shooting club committees and shooting range operators will have 12 months, from 24 June 2022, to apply for certification.

Police needs to develop and consult on regulations to support the new requirements for clubs and ranges

7. Police has drafted a Discussion Document for public consultation setting out the policy proposals for potential new regulations. These regulations will be supplemented by guidance in the Commissioner's guidance notices and the New Zealand Police Shooting Range Manual.
8. Following agency consultation, early next year we will provide you with an updated version of the Discussion Document for you to consult with your Ministerial colleagues. Next, we will seek Cabinet approval to release the document and commence public consultation.
8. Your Arms Advisory Group (MAAG) will be provided with the draft Discussion Document on 15 December, with a view to receiving their feedback on the development of the work by 2 February 2022. The Firearms Community Advisory Forum, Arms Engagement Group, and the Range Certification Engagement Group will each be provided with a summary of the draft Discussion Document for the same purpose.
9. There will be an opportunity for the MAAG, and the other groups, to submit on the final proposals during the public consultation period in March-April 2022. We have suggested to the MAAG that they may wish to consider whether a workshop in March might be helpful to assist the group to develop their submission.
10. The aim of the Discussion Document is to promote consistency and transparency in the application of standards and processes when implementing the legislation. It gives stakeholders an opportunity to understand the impact of the proposals and provide feedback to ensure the regulations are fit for purpose and any unintended consequences are understood.

11. The consultation will help determine:
 - the proposals for new regulations
 - where guidance through Commissioner's guidance notices or the New Zealand Police Shooting Range Manual is more appropriate than putting in place new regulations.
12. Police will analyse the submissions received and consider submitters' views when policy approval is sought for the new and amended regulations.
13. A summary of the proposals set out in the Discussion Document follows.

The proposals in part one of the Discussion Document relate to shooting clubs

14. The shooting club proposals cover:
 - Application for approval of a shooting club (non-pistol clubs and pistol clubs)
 - Conditions relating to membership
 - Members of club-committee
 - Age restrictions on participation in club-organised shooting activities
 - Participation in club-organised activities for non-licence holders 16 years or older (excludes pistol clubs)
 - Specific requirements for participation in a pistol club
 - Obligations on pistol clubs to support club members' compliance with specific requirements relating to their pistol endorsements
 - Conditions relating to secure storage of firearms or ammunition
 - Conditions relating to sales of firearms or ammunition
 - Provision of annual reports by shooting clubs
 - Fee for application to approve a shooting club
 - Discount for use of templates

The proposals in part two of the Discussion Document relate to shooting ranges

15. The shooting range proposals cover:
 - Application to have a shooting range certified
 - Application to renew a shooting range certificate
 - Conditions of shooting range certification
 - Clarification of conditions, including 'other conditions'
 - Clarification of departure from conditions of certification
 - Changes that may impact certification, and notification to Police

- Amendment to conditions of certification
- Range Standing Orders, including contents
 - Notification to Police of proposed change
 - Notification of change to all range users
- Individual range summary signs
- Inspections of shooting ranges
- Improvement notices, and cancellation of certification
 - Assessing individual circumstances
 - Voluntary surrender of range certification
- Fee to apply for shooting range certification
 - Discount for early application for renewal of range certification.

Anticipated stakeholder interest

16. Proposals anticipated to generate particular stakeholder interest are:

- Formalising the age and process for achieving eligibility to participate in club-organised shooting activities, as currently, some pistol clubs have allowed young people to participate in shooting activities with pistols. This directly contradicts the commitments in the letter of agreement between New Zealand Pistol Association and Police. For other shooting disciplines the situation is unknown. It is possible that some will have no age limitation.
- The requirements enabling the continued sale and supply of firearms and ammunition, which will require clubs that have been holding firearms to ensure they identify the person responsible for those firearms, and to keep records of those to whom firearms and ammunition is supplied.
- The requirements relating to range 'officers on duty'.
- Proposed fees for club approval and range certification.

It is likely the new regulations will not be able to be in force by 24 June 2022

9. While shooting range operators and shooting club committees will have 12 months, from 24 June 2022, to submit an application for certification, applications will not be able to be formally submitted until the regulations are in force. These dates are established in the primary legislation.
10. Our estimated timeline suggests there may be up to a ten-week delay between when the primary legislation comes into force and when the regulations are implemented (estimated to be early September). In effect, this means that shooting clubs and ranges may lose up to ten weeks of the 12 months allocated to them to apply for certification. However, they will be able to gather the information likely required for application informed by the content of the

discussion document, and the exposure draft of the New Zealand Police Shooting Range Manual.

11. To minimise any impact, Police will continue to work with shooting range operators and shooting clubs to receive draft applications and provide a review service until the regulations are in place. The delay will not prevent established shooting clubs and ranges from continuing with their usual activities, and safety measures will remain in their current state.
12. This approach, and the consultative process taken to date, will mean that shooting clubs and range operators will be better placed to meet the requirements of the regulations because of the work they will have undertaken with Police before the full application is made. The full application and accompanying fee will be able to be submitted once regulations are in place.
13. Development of a communications plan for the first quarter of 2022 is underway to ensure affected groups are notified and can prepare well in advance.
14. To ensure the regulations are in place as close to 24 June 2022 as possible, at the appropriate time in this regulation-making process, Police will seek Cabinet's agreement to waive the 28-day rule (Cabinet requires that regulations must not come into force until at least 28 days after they have been notified in the New Zealand Gazette). If Cabinet agrees, any implementation delay would be reduced by 28 days.

Next Steps

17. The following table sets out the next steps for this work through to Cabinet approval to issue drafting instructions for regulations in July 2022.

Date	Milestone
26 – 31 January	Agency consultation
3 February	Provide an updated and near final Discussion Document and draft Cabinet paper to the Minister for Ministerial consultation
8 – 22 February	Ministerial consultation
24 February	Lodge Cabinet paper seeking agreement to release the Discussion Document for consultation
2 March	Cabinet paper and Discussion Document considered SWC
7 March	Cabinet confirmation
9 March	Release Discussion Document for six weeks
20 April	Consultation ends
21 April – 13 May	Complete analysis of submissions and prepare draft Cabinet paper and Regulatory Impact Analysis for policy approvals, reporting on consultation, and seeking authority to issue drafting instructions
24 May	Complete draft Cabinet paper
31 May – 6 June	Agency consultation (also MAAG, FCAF, AEG, RCEG)
7 – 21 June	Provide draft Cabinet paper to Minister for Ministerial consultation
23 June	Cabinet paper lodged
29 June	SWC consideration (must lodge for this date due to recess until 27 July)
4 July	SWC approvals confirmed by Cabinet to enable PCO drafting

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