

25 March 2021

Our Reference: IR-01-21-7853

██████████
Email: ██████████

Tēnā koe ██████████

I am writing to you in response to your request dated 9 March 2021. You wrote:

I recently inquired about the purchase of an Umerex .177 gas operated pistol. A replica .45 Colt western pistol. I was informed by two different Gun Shops that they were not allowed to sell such guns. When I asked why. The answer I was given by both shops was "I don't know why. ask the police." I asked in person at the ██████████ Police Station to see the Arms Officer whereupon I was asked to leave my telephone number and the Arms Officer would contact me. I have not been contacted. I do have a genuine interest in purchasing such a gun. What ever the reason for the restriction. It would not be abused by me or any other person I choose to allow to shoot it. It's not imperative that I acquire such a gun with any urgency. I am more curious to know why there should be a restriction on these guns. I have noticed that blank firing pistols can be purchased that look very convincing enough to frighten people but there are no restrictions on these guns.

These are legal questions and it is not within the scope of the Official Information Act 1982 to create information or to provide legal advice.

I can, however, point you to some resources in relation to the Arms Act 1983.

Any air pistol is a restricted airgun because it looks like a "real" (firearm) pistol (section 2 of the Arms Act 1983).

The possession of these items is controlled through restrictions on importing them (section 18(5) of the Arms Act 1983). The importation is controlled by requiring a permit to import¹ and the importer must have a special reason for importing one.

¹ <https://www.police.govt.nz/advice-services/firearms-and-safety/licences-permits-and-endorsements/apply-permits-import-or>

The requirement for a special reason usually prevents anyone other than the person who has the special reason from importing a restricted airgun, although the person with the reason may instruct a licensed firearms dealer to act on their behalf.

The most common special reason is that the importer is a member of a bona fide pistol club or is a member of a bona fide airgun club.

The reason a gun shop does not have any restricted airguns for sale is that they cannot import them unless they have a special reason and importing for resale is not an acceptable special reason.

Blank-firing guns are treated similarly to restricted airguns, except that there is no requirement for the importer to have a special reason. This is why blank-firing guns may be available through licensed firearms dealers and other retailers.

For your information, Police has developed a process for proactive release of information, so the anonymised response to your request may be publicly released on the New Zealand Police website.

Yours sincerely



Mike McIlraith
Acting Superintendent
Arms Safety and Control