

Rt Hon Jacinda Ardern, Prime Minister Rt Hon Winston Peters, Deputy Prime Minister Hon Grant Robertson, Minister of Finance Hon Andrew Little, Minister of Justice Hon Stuart Nash, Minister of Police Hon Ron Mark, Minister of Defence

BRIEFING FOR MINISTERS WITH POWER TO ACT					
Priority	□ Time-Sensitive	☐ Routine			
Subject	Providing modification of prohibited firearms as an option				
Date	11 June 2019	<b>Ref</b> BR/19/65			

## **Executive Summary**

Ministers with Power to Act agreed that compensation for prohibited firearms capable of being permanently modified to make them non-prohibited will not exceed the cost of modification (up to \$300). This would apply whether the firearm is modified or surrendered.

Regulations were considered at LEG on 11 June that provide:

- if a prohibited firearm is permanently modified to make it non-prohibited, compensation may be paid for the cost of the modification up to \$300, or
- if an owner of a prohibited firea m capable of being modified surrenders the firearm, they will receive compensation of \$300.

s 9(2)(h)	

Andrew Coster

Acting Deputy Commissioner, Strategy & Partnerships

First contact	s 9(2)(a)	
Second contact	Andrew Coster, Acting Deputy Commissioner: Strategy & Partnerships	s 9(2)(a)

# Providing for modification of prohibited firearms in the Arms Amendment Regulations

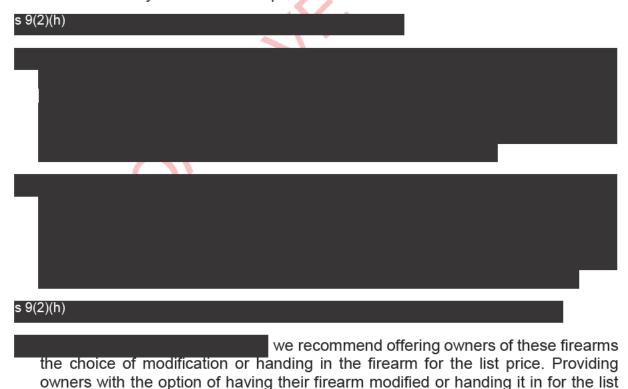
### **Purpose**

1. This paper seeks agreement to amend regulations to provide owners with the option of having their firearm modified if they choose to. The Minister of Police and the Minister of Finance have discussed this amendment and support this approach.

#### Background

s 9(2)(h)

- Ministers with Power to Act have agreed policy settings for the buy-back to be implemented in the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Regulations 2019. On 30 May 2019, Ministers agreed that if a firearm is capable of being permanently modified, then compensation for that firearm would not exceed the cost of modification (up to \$300).
- 3. Draft regulations were considered by the Cabinet Legislation Committee (LEG) on 11 June and are due to be considered by Cabinet on 17 June. These provide:
  - if an owner of a prohibited firearm capable of being modified has the firearm permanently modified to make it non-prohibited compensation may be paid for the cost of the modification up to \$300 or
  - if an owner of a prohibited firearm capable of being modified surrenders the firearm they will receive compensation of \$300.



price of the firearm would be more likely to be seen as a fair and reasonable value

7. This change will increase the overall cost of the buy-back scheme as higher compensation will be paid for firearms surrendered, rather than modified. The extent of this increase in cost is unclear as we have no reliable data on the numbers of firearms involved, nor on the numbers of owners that will choose to hand over, rather than modify their firearm(s).

#### Recommendations

It is recommended that Ministers with Power to Act:

- a) note that some prohibited firearms with non-detachable tubular magazines and some non-prohibited firearms (eg. bolt action rifles) with prohibited non-detachable tubular magazines are capable of being modified to permanently reduce the magazine capacity to make the firearm or magazine non-prohibited
- **b) note** that Ministers agreed that compensation for firearms capable of being permanently modified would be no more than the cost of the modification of the firearm up to \$300
- c) agree that the regulations provide for permanent and safe
  modification as an option for owners of firearms n (a) if they
  choose to have their firearm modified
- d) agree that the regulations provide that if owners of firearms in (a) Yes/No do not choose to have their firearm permanently modified, they will receive compensation based on the price list and any condition based adjustment when they surrender the firearm
- e) agree that compensation paid in relation to firearms which have been permanently modified will cover the cost of modification up to a maximum of \$300
- f) note that agreeing to recommendation d) will increase the overall cost of the buy back scheme but that the level of increase is not known d e to a lack of reliable data
- **g) authorise** officials to issue drafting instructions to PCO to amend Yes/No the regulations to implement decisions made in this paper

 note decisions from Ministers are required by 13 June 2019 for the regulations to be approved by Cabinet on 17 June

Ministers' comments and signature	Ministers' comments and signature
/ / 2019  Rt Hon Jacinda Ardern  Prime Minister	/ / 2019  Rt Hon Winston Peters  Deputy Prime Minister
Filitie Willistei	Deputy Filitie Willister
Ministers' comments and signature	Ministers' comments and signature
//2019	/ / 2019
Hon Grant Robertson Minister of Finance	Hon Andrew Little Minister of Justice
Ministers' comments and signature	Ministers' comments and signature
/ / 2019	/ / 2019
Hon Stuart Nash Minister of Police	Hon Ron Mark Minister of Defence