

Regulatory Impact Statement: Arms Act 1983 - Regulations for Firearms Registry

Purpose of Document

Decision sought:	<i>Regulations for the Firearms Registry</i>
Advising agencies:	<i>New Zealand Police</i>
Proposing Ministers:	<i>Minister for Police</i>
Date finalised:	<i>12 December 2022</i>

Problem Definition

The Arms Legislation Act 2020 establishes, from 24 June 2023, a registry of licence holders, their arms items and their dealings. Regulations, as provided for in the Arms Act 1983 (the Arms Act), are now needed to implement the registry. Regulations are necessary to set out the detail of what information licence holders are required to provide for the registry and to provide for other matters to enable the registry to be effective and functional.

Executive Summary

Context

The Government is committed to strengthening the regulation of firearms in Aotearoa New Zealand. Currently, there is no centralised oversight of the number, type and location of firearms held by firearms licence holders. This lack of visibility makes it difficult for Police to track firearms, and prevent their use for criminal purposes. The Arms Legislation Act 2020 amended the Arms Act to establish a registry of licence holders, their arms items and their dealings, that will come into force on 24 June 2023. Police will operate the registry to store information on regulated arms items held and transferred by licence holders.

Policy problem or opportunity

Regulations are needed to implement the registry, including to set out the detail of what information licence holders are required to provide to Police for the registry. The regulations will contribute to the purpose of the Arms Act to promote the safe possession and use of firearms and impose controls on the possession and use of firearms and other weapons.

Options analysis

Options are analysed in four parts relating to requirements concerning: particulars of licence holders (Part A); particulars of the arms items that they possess (Part B); circumstances activating provision of information on arms items (Part C) particulars of events relating to arms items (Part D); and requirements for the effective operation of the registry (Part E).

The options considered include a 'status quo' option which reflects the requirements of the Arms Act and, as applicable, other feasible options for requirements that are considered core to, or might otherwise enhance, the effectiveness and functionality of the registry.

The options have been analysed as to the extent to which they provide for the information and other administrative provisions necessary to enable an effective and functional registry, promote the purposes and principles of the Arms Act, and their practicality, efficiency and cost effectiveness.

Consultation

Police released a public discussion document *Proposals for new regulations under the Arms Act 1983. Phase Three: Consultation on the Firearms Registry* for consultation over six weeks from 31 August 2022 to 12 October 2022. Police received 416 submissions. A full submissions analysis will be published on Police's website. Police also conducted workshops about the proposals with members of its advisory groups: the Arms Engagement Group; and the Firearms Community Advisory Forum. Members of the Minister's Arms Advisory Group also provided input to Police.

Potential positive impacts of the proposals

The regulations will enable Police to carry out its regulatory role under the Arms Act to operate the registry in the interests of public safety. Dealers and private sellers and buyers will over time have assurance that they are transacting in a legitimate market.

Potential negative impacts of proposals

An inevitable outcome of the decision to establish a registry is that it will impose compliance costs on licence holders to provide the required information. This is mitigated by requiring only what is necessary to enable Police to meet the purpose of the registry and enabling this to be done in a flexible and least burdensome way where possible. There are potential risks related to security and privacy of the information. Ensuring security and privacy is central to the design and build of the registry. This will meet or exceed government security controls and be subject to further security risk, privacy impact and policy risk assessments, and additional security and penetration testing to ensure the system is robust and secure.

Limitations and Constraints on Analysis

The options, and our analysis of them, is constrained by the Arms Act prescribing, in sometimes detailed terms, what is required to be addressed in the regulations. As such, the ability to 'do nothing' and feasible options in some cases are limited.

Compliance costs on licence holders and the benefits to public safety were considered in government decisions to establish the registry and specify what it should address. While Police recognise that requirements would impose a compliance cost on licence holders this will vary significantly between licence holders depending on the frequency and extent to which they need to interact with the registry. It is not feasible for Police to quantify in monetary terms the overall or individual costs to licence holders and benefits to the public in relation to each of the detailed particulars required in each option.

Responsible Manager

Gillian Ferguson, Director, Policy
New Zealand Police

Signature:



Date:

Quality Assurance

Reviewing Agency: New Zealand Police

Panel Assessment & Comment:

The New Zealand Police QA Panel has reviewed Regulatory Impact Statement: Arms Act 1983 – Regulations for Firearms Registry, prepared by New Zealand Police and considers that it meets the quality assurance criteria.

The RIS incorporates feedback from public consultation, which has been used to inform the analysis. The RIS notes constraints on the options as

the establishment of the Registry, and for some options, the minimum information requirements, are already set out in the Arms Act. This means that for most options analysis is limited to whether additional information is necessary to fulfil the objectives of the Firearms Registry. These constraints are clearly identified and the analysis is clear. The QA Panel assess the RIS as meeting the quality assurance criteria (complete, convincing, clear and concise, and consulted).

Section 1: Diagnosing the policy problem

What is the context behind the policy problem and how is the status quo expected to develop?

Following the terrorist attacks on the Christchurch masjidain, several changes were made to Arms Act to strengthen the control and regulation of firearms in Aotearoa New Zealand.

Currently there is no centralised oversight of the number, type and location of firearms held by firearms licence holders. It is difficult to track firearms from their manufacture or importation and link information on all arms items with licence holders. If licence holders sell or otherwise transfer after import standard (non-prohibited) firearms there is currently no way of knowing who has transferred them, to whom, or how securely they are held. People with criminal intentions can easily obtain firearms unlawfully through unrecorded changes of possession.

To discourage and prevent this, from 24 June 2023, the Arms Act will require the Commissioner of Police to operate a registry to store and link information about licence holders, their arms items, and their dealings. While known as the 'firearms registry', the registry will cover firearms, restricted weapons, and other specified arms items which will be collectively referred to as 'arms items' in this paper unless stated otherwise.

The establishment of a registry requires regulations to specify what information firearms licence holders are required to enter into the registry. Regulations will require firearms and dealer's licence holders and any other persons specified in regulations to provide up-to-date information for the registry on all regulated arms items in their possession following specified circumstances during the first five years of the registry's establishment, and record any change of possession of arms items between licence holders.

The registry will be operated by the New Zealand Police. The registry links with Police's programme to digitalise and modernise its information holding systems. Police already holds some information on all licence holders and any prohibited firearms, prohibited magazines, pistols and restricted weapons they may have, collected through endorsement and permitting requirements to possess or import such items. Police is designing and establishing an 'Arms Information System' digital platform to enable licence holders to manage their licences and permits digitally. The Arms Information System will also be used as the digital platform for the registry.

What is the policy problem or opportunity?

Regulations, as provided for in the Arms Act, are now needed to set out the detail of what information licence holders are required to provide for the registry, and provide for other matters to ensure that the registry is effective and functional.

Stakeholders and how they will be affected

The firearms community

Licence holders will be the most affected by these proposed regulations. On 1 April 2022, there were 240,425 firearms licence holders in New Zealand. Approximately 92 percent of firearms licence holders are men, and 74 percent are currently aged 40 years or older. Of the 59 percent of firearms licence holders that have their ethnicity recorded by Police, 90 percent are Pākehā and 7 percent are Māori. Based on these demographics, it is likely that the proposals will have the greatest effect on Pākehā men, aged 40 or older.

An online registry will impact those without easy access to the internet, or those who struggle with using the technology. To mitigate this, Police will also enable information to be submitted to Police for inclusion in the registry through non-digital channels.

There have been many significant changes to the firearms regulatory system since 2019. These changes have left the firearms community feeling as though there are increasing obligations being imposed on them, despite being lawful users of firearms. It is likely some of this sentiment will remain as the registry and regulations are implemented.

The public and non-firearms owning community

The impact that the registry will have on the public is hard to predict at this stage. From a Police perspective, we anticipate that the registry will make the public safer from those using firearms illegally. For this reason, it appears as though the non-firearms owning community is mostly supportive of the establishment of the registry.

Iwi/Māori

Police engages with iwi across the country on a range of firearm-related topics, which includes discussion of the registry and the impact on Māori firearms users.

Police as regulators

Police will be affected as the administering agency of the Arms Act and associated regulations. Police has anticipated the increased demand on resourcing to manage greater oversight of firearms through the registry and received funding through Budget 2022. This funding has been used to establish a branded business unit *Te Tari Pūreke – Firearms Safety Authority* as a dedicated regulator of the Arms Act.

What objectives are sought in relation to the policy problem?

The objective in making the regulations is to establish the registry in a way that meets the requirements and intent of the Arms Act, while being practical, efficient and cost effective. The regulations must enable Police to have greater centralised oversight of legally held arms items in the community and to track them over their lifetime, to prevent their use for criminal purposes. The regulations should also provide assurance that licence holders are purchasing legally held arms items. Another objective is that the regulations enable licence holders to submit and update information in the least burdensome way where possible to encourage voluntary compliance and a complete and up-to-date registry.

Section 2: Deciding on an option to address the policy problem

Options considered

Where applicable, the options considered include a 'status quo' option which is the requirements already specified in the relevant provision of the Arms Act or is what is considered necessary to meet its intent, if this is not exactly specified.

Where applicable, Police has also considered feasible options that or needed to meet the purpose of the registry or might otherwise enhance its effectiveness and functionality.

Criteria used to compare options to the status quo

Police has considered the balance of the following criteria when considering the options:

- having the information and other administrative provisions that are necessary to enable an effective and functional registry
- contribution towards the purposes and principles of the Arms Act, to:
 - promote the safe possession and use of firearms and other weapons
 - impose controls on the possession and use of firearms and other weapons
- practicality (clear and able to be understood and followed)

- efficiency (giving effect to them is as easily as possible)
- cost effectiveness.

The purpose of the Arms Act is to promote the safe possession of firearms and therefore public safety. The intent of the registry under the Arms Act is to enable Police to better track firearms through their lifetime as well as provide the regulator more centralised oversight of the firearms that are in the community. To do this, Police needs to balance the information required to make the registry fit for purpose while minimising the compliance burden on licence holders.

Consultation

The options analysis was significantly informed by feedback from public consultation. Police released a public discussion document *Proposals for new regulations under the Arms Act 1983. Phase Three: Consultation on the Firearms Registry* 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.

Police also conducted workshops about the proposals with members of the advisory groups: the Arms Engagement Group and the Firearms Community Advisory Forum. Members of the Minister's Arms Advisory Group also provided input to Police. All proposals were initially tested with these groups which did not raise any major concerns, but assisted with clarifications and technical matters, or indicated a preliminary preference.

A total of 416 submissions were received along with feedback from workshops with key stakeholders. Over 90 percent of submissions were from individual firearms licence holders. Three percent of submissions were made on behalf of an organisation. A full submissions analysis will be published on Police's website.

The main concerns raised by submitters that are in scope included:

- Police's ability to keep information in the register secure and accurate so that the information does not fall into the hands of criminals, affecting the safety of licence holders, their families and property
- ensuring the scope of the registry is only what is necessary to meet the regulatory purpose of the registry. Some suggested not including proposals for information about all storage locations, licence holders' health practitioners, restricted airguns, and records of ammunition sales
- a number of practical and interpretation related concerns and suggested changes to simplify requirements and decrease the compliance burden.

Options analysis

The analysis of options is set out in the tables below. Police's preferred option is highlighted in blue. This options analysis is in five parts to reflect that the Arms Act provides for regulations relating to:

- particulars of licence holders (Part A)
- particulars of the arms items that they possess (Part B)
- circumstances activating provision of information on arms items (Part C)
- particulars of events relating to arms items (Part D), and
- requirements for the effective operation of the registry (Part E).

Unless otherwise specified, 'licence holder' refers to both firearms licence holders and dealer's licence holders.

Part A – Particulars concerning licence holders

Option	Description of the option	Analysis of option
Particulars concerning firearms licence holders		
Option One: status quo	The Act requires that licence holders provide the following information to Police, to be recorded in the registry: • their full name, date of birth, and residential address • the number and date of expiry of the firearm's licence held • every endorsement on the licence • every condition on the licence or on any endorsement that is additional to conditions imposed by the Arms Act or regulations.	This is required under the Arms Act.
Option Two: core information in addition to that required by the Act	Regulations would require firearms licence holders to provide the following information to Police, to be recorded in the registry, in addition to what is required under the Act: • contact phone number, email address and postal address if different from their residential address • whether they are an ammunition seller • 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.	This is the preferred option. Police considers that option two aligns best with the criteria. This option is practical and will enable Police to communicate effectively and efficiently with licence holders, and promote the safe possession and use of arms items by effectively tracking possessions of arms items through their lifetime.
Option Three: option two plus further information	Option two, plus: • the addresses of all locations where arms items are stored • the capacity of each of those storage locations • whether any specified arms items are being stored in a mobile home, campervan or caravan unit that is being used as the licence holder's temporary or permanent home, and details of these homes/units, and the total number of arms items that each unit has the capacity to hold • the address where ammunition sellers store their ammunition for sale	Police considered and consulted on requiring this additional information for a more complete registry. However, on balance, we consider this information would not necessarily better enable Police to track firearms through their lifetime and would be impractical and unnecessarily burdensome for firearms licence holders.

Option	Description of the option	Analysis of option
	- confirmation that they have separate storage for ammunition at the places where firearms are stored - the name and contact details of the licence holder's health practitioner (if they applied for a licence on or after 24 December 2020, when this became a legislated requirement).	
Particulars concerning dealer's licence holders		
Option One: status quo	The Act requires that dealer's licence holders provide the following information to Police, to be recorded in the registry: - their full name, date of birth, and residential address - the number and date of expiry of the dealer's licence held - every endorsement on the licence - every condition on the licence or on any endorsement that is additional to conditions imposed by the Arms Act or regulations.	This is required under the Arms Act.
Option Two: core information in addition to that required by the Act	Regulations would require dealer's licence holders to provide the following information to Police, to be recorded in the registry, in addition to what is required under the Act: - registered name of the business (if any), the trading name (if any), and the New Zealand Business Number (if any) - 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 and endorsements of their employees handling or having access to arms items or ammunition at the dealer's place of business	This is the preferred option. We consider, on balance, option two best aligns with the criteria. Requiring business information will ensure the registry is complete and fit for purpose. While this might add to the compliance burden for dealers, this is practical as it is readily held information that is provided to Police on application of a dealer's licence. Information already held by Police will be pre-populated in the system over time, but it will be important that dealers check and update the details. Any extra compliance burden is outweighed by promoting the safe possession and use of arms items by effectively tracking arms items through their lifetime, namely who has sold them and to whom.
Option Three: option two plus further information	Option two, plus the number of arms items that each place of business any separate warehousing/storage facilities they operate has the capacity to store.	Police considered and consulted on requiring this information for a more complete registry. However, on balance, we consider this information would not necessarily better enable Police to track arms items through their lifetime and would be unnecessarily burdensome for dealer's licence holders

Part B: Particulars concerning arms items

Option	Description of the option	Analysis of option
Arms items to be recorded by licence holders		
Option One: status quo	The Act requires that licence holders provide information on the following arms items possessed by each licence holder to Police, to be recorded in the registry: • firearms (including prohibited firearms but excluding antiques) • restricted weapons • prohibited magazines.	This is required under the Arms Act.
Option Two: core information in addition to that required by the Act	Regulations would require licence holders to provide information on the following arms items possessed by each licence holder to Police, to be recorded in the registry, in addition to what is required under the Act. Option one, plus: • major firearm parts (meaning 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) • pistol carbine conversion kits.	This is the preferred option. We consider, on balance, option two best aligns with the criteria. These are key items for public safety. It is practical for licence holders to provide this information. While requiring this information might add to the compliance burden the benefit to public safety outweighs this. Major firearms parts are as already defined in the Arms Regulations.
Option Three: option two plus further information	Option two, plus: • antique firearms • restricted airguns.	Police considered and consulted on requiring this information for a more complete registry. However, on balance, we consider that this additional information would not benefit public safety and would create a higher compliance burden for licence holders.
Particulars of arms items to be recorded		
Option One: status quo	The Act requires that licence holders provide the following particulars about every firearm, restricted weapon, and prohibited magazine in their possession to Police, to be recorded in the registry: • make • model • identification markings.	This is required under the Arms Act.

Option	Description of the option	Analysis of option
	Identification markings would be a serial number, according to guidelines developed by Police. For major firearm parts identification marking would not be required if incorporated or integrated into a firearm.	
Option Two: core information in addition to that required by the Act	Regulations would require that licence holders provide the following particulars to Police, to be recorded in the registry • for firearms: ○ type, action, calibre or gauge ○ whether the firearm has a non-detachable magazine and if it does, its capacity ○ if requested, a photo of the firearm, according to guidelines • for restricted weapons: ○ type, action, calibre or gauge where appropriate ○ if requested, a photo of the firearm, according to guidelines • for prohibited magazines: ○ type, calibre or gauge, and capacity • for major firearm parts: ○ 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) • for pistol carbine conversion kits: ○ type, calibre or gauge ○ if requested, a photo of the firearm, according to guidelines	This is the preferred option. On balance, we consider that option two best meets the criteria. This information is needed to adequately distinguish items for a functional registry. This better enables Police to identify and track arms items through their lifetime and recover them if needed. While this might add to the compliance burden, we consider that it is practical to require this information and the benefit to public safety outweighs this.
Option Three: option two plus further information	Option two, plus, for firearms and prohibited magazines the items identifying features if any (such as damage, repairs, marks, carvings, attachments, oddities, etc).	Police considered and consulted on requiring this information for a more complete registry. However, on balance, we consider that this would be of limited value and not increase public safety or be practical for licence holders or Police to record.
Identification marking		
Option One: status quo - no identification marking required	Do not require identification marking on any arms items.	While this option may be less burdensome for firearms licence holders, it would not meet the purpose of the registry to enable Police to track arms items through their lifetime and is not in line with international practice.

Option	Description of the option	Analysis of option
Option Two: apply identification marking requirements to all licence holders.	The regulations would be amended to extend identifying marking requirements as follows: - Regulation 12(4) (which currently applies only to dealers) would require all firearms licence holders receiving specified arms items to place identifying markings on any items that do not already have such markings. These markings will conform with guidelines issued by Police. - The regulations would enable Police to grant individual exceptions for firearms licence holders to marking requirements, similar to the current exemption that can be applied to dealers, which guidelines on marking will take into account. - The terminology in the regulations would be amended from “identification numbers” to “identifying marking (for example, a serial number) according to guidelines”.	This is the preferred option. Identification marking for firearms licence holders receiving arms items is not a requirement in the Arms Act. However, for identification markings to be recorded by the registry, some streamlining across the firearms regulatory space about how identification markings are done is necessary. While this may increase the compliance burden for firearms licence holders, Police consider that identification markings are necessary to adequately trace arms items through their lifetime, and this reflects international practice. Flexibility to be exempted from requirements on a case by case basis will be extend to all licence holders (currently only applies to dealers).

Part C Circumstances activating provision of information on arms items

Option	Particulars	Analysis of options
Circumstances activating provision of information on arms items		
Schedule 1 of the Arms Act provides for licence holders and prescribed persons to provide up-to-date information for the registry on all items in their possession when specified circumstances take place during the first five years of the registry. This includes when a person: is applying for a licence or endorsement; is notifying a change in circumstances; has responsibility in relation to an event in relation to an arms item such as: sale and supply; purchase and receipt; manufacturing, import or export; theft, loss or destruction; or any other event specified in regulations; or is subject to compliance or enforcement action the Police under the Act. There is then a follow up process for recording any items not recorded in the registry during those five years.		
Option One: status quo	Regulations would require licence holders and prescribed persons to provide up-to date information for the registry on all specified arms items in their possession, when the following activating circumstances take place during the first five years of the registry. 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)	This is required under the Arms Act. This is the preferred option. On balance, we consider that option one best meets the criteria. For most licence holders and dealers, this list of circumstances should activate the requirement for them to provide details of all the specified arms items they possess to Police within the initial five-year period. This would include modification of a firearm and sales of ammunition by dealers and ammunition sellers, which is included in the preferred

Option	Particulars	Analysis of options
	is subject to compliance or enforcement action by Police under the Arms Act. 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.	option of section 95(2) events to be recorded in the registry, in addition to sale and supply, purchase and receipt, manufacturing, import or export, and theft, loss or destruction of an arms item.
Option Two: option one plus purchase of ammunition	Regulations would require that licence holders provide information on all arms items as per option one plus when they first purchase ammunition from a dealer or ammunition seller after 24 June 2025.	This is the preferred option. Purchase of ammunition would be a common occurrence for many licence holders who may not be involved in the other activating circumstances for several years. Including ammunition purchase would expedite having a complete registry within five years. However, for practical reasons it is considered sensible to delay making purchase of ammunition as an activating circumstance until 24 June 2025 to manage the operational load on the Registry system. This is not intended to capture ammunition sales between licence holders after its initial purchase from a dealer or ammunition seller.
Option Three: option two plus other activating events	Option two plus: - sale, hire, loan or other supply of an arms item to either a licence holder or non-licence holder under immediate supervision (other than a temporary transfer) - the issuing of a licence - the surrender or expiry of a licence - the occurrence of any of the circumstances described in section 24A(1) which relates to fit and proper person assessment.	Police considered and consulted on these additional activating events. This option is not preferred as we do not consider there is any added public safety benefit to justify these events, or they would duplicate existing requirements. The surrender or expiry of a licence would mean the person would cease to be a licence holder and arms items can only be registered by current licence holders.
Timeframe in which to provide relevant information after an activating circumstance		
The Arms Act requires that licence holders and prescribed persons provide information to Police on all arms items in their possession when they are involved in an activating circumstance. A timeframe for this may be prescribed by regulations.		
Option One: a time period of: for firearms licence holders from day one, 30 – 60 days	For firearms licence holders: Regulations would require that individual firearm licence holders provide information on all arms items in their possession within 30 days after involvement in an activating circumstance from day one of the registry being in force. This will be unless a later period is agreed by the Commissioner, which in can be no longer than 60 days after the activating circumstance.	This is the preferred option. Police consider a time limit for licence holders to upload information after an activating circumstance is necessary for the registry to fulfil its purpose under the Arms Act. Police consider that 30 days is adequate time for firearms licence holders to enter the information required while keeping the registry up-to-date.

Option	Particulars	Analysis of options
for dealer's licence holders - at a time as directed by the Commissioner within a period that can be no later than 24 June 2025	For dealers: Regulations would require that dealer's licence holders 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 as directed by the Commissioner within a period that can be no later than 24 June 2025.	We consider that for dealers a more flexible timeframe in which to register all their arms items will mitigate against an otherwise significant initial operational load on the registry from day one if it is to record information on all arms items in the large stock holdings of dealers.
Option Two: a time period shorter than proposed in option one	Regulations would require licence holders to provide information to Police within a shorter time period than option one, for example 12 days.	Police considered and consulted on a period of 12 days, however, now consider that this is too short a time frame which would put undue pressure on licence holders, and in some instances would be nearly impossible.
Option Three: a time period longer than proposed in option one	Regulations would require licence holders to provide information to Police after a longer time period than option one.	Police consider that a longer time period would not adequately keep the registry current which would compromise the effectiveness of the registry for some time. Option one provides some flexibility for dealers where there will be genuine difficulties with compliance and to manage operational load on the registry on day one.
Final date for the provision of information by licence holders on all specified arms items they possess		
If a licence holder has not been involved in an activating circumstance and therefore provided information on all their arms items, they must do this five years after the registry starts operating. A timeframe for the final date for the provision of information by licence holders on all specified arms items they possess may be prescribed by regulations.		
Option One: do not specify a final date for all arms items to be registered	Regulations would not specify a final date for all outstanding arms items to be registered after five years.	A final date in which firearms licence holders need to provide their details is required to enable the registry to be functional and up-to-date. Leaving this open-ended would cause uncertainty for licence holders and compliance and enforcement issues for Police.
Option Two: specific a final date for all arms items to be registered	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 until 30 August 2028 to provide Police with particulars on those items for inclusion in the registry.	This is the preferred option. While 30 August 2028 is not the only option in terms of a time period, considering a lesser or greater timeframe would be arbitrary. This date provides licence holders with just over two months to provide information on the specified arms items they possess which have not yet been recorded in the registry. There should not be too many licence holders in this position because of the need to inform Police of their arms items when they purchased or sold any arms item or purchased any ammunition over the previous five years.

Part D – Particulars concerning events relating to arms items

Option	Description of the option	Analysis of option
Section 95 of the Arms Act will provide that details of the following events in relation to any arms item must be provided to Police by firearms licence or dealer's licence holders for inclusion in the registry: sale or supply, excluding a temporary transfer; purchase or receipt, excluding a temporary transfer; importation; exportation; manufacture; and theft, loss or destruction. A temporary transfer is a transfer of possession of a firearm (not being a pistol, restricted weapon, prohibited magazine or prohibited firearm) for less than 30 days. Regulations may require persons to provide details of other events to Police in accordance with the time and any other requirements in regulations. Regulations may require dealers and ammunition sellers to provide particulars for inclusion in the registry rather than recording these in a book, as currently occurs.		
Transfers (i.e. sale/supply and purchase/receipt – excluding temporary transfers) of arms items by firearms licence holders		
Option One: status quo	Regulations would require firearms licence holders to provide information to Police for inclusion in the registry on all transfers of specified arms items to another licence holder (excluding temporary transfers) to enable the identification of the licence holders and arms items. The information would include the date the item was delivered/received; the name and licence number of the person to whom the item was delivered/received; for 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 arms item that is required to be recorded in the registry.	This is considered the only feasible option. This is the necessary information to record the details of this event as required under the Arms Act.
Transfers (i.e. sale/supply and purchase/receipt – excluding temporary transfers) of arms items by dealer's licence holders		
Option One: status quo	Regulations would require dealers to provide information to Police for inclusion in the registry on all sales of specified arms items (excluding temporary transfers) to firearms licence holders and other dealer's licence holders. The information would include the date the item was delivered/received; the name and licence number of the person to whom the item was delivered/received; for 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;	This is considered the only feasible option. This is the necessary information to record the details of this event as required under the Arms Act. This information also aligns with the current record keeping requirements of dealers in regulation 7, so involves no additional compliance, with the difference being that dealers can enter these details into a registry rather than a record book. This will avoid the need for Police to make visits to dealer's premises to inspect records, as Police will already have access to these records in the registry. This

Option	Description of the option	Analysis of option
	particulars of the arms item that is required to be recorded in the registry. If this information is provided online to Police for inclusion in the registry, dealers will not have to include that same information in a records book.	creates significant efficiencies in the auditing of dealers without compromising Police oversight of the sales by dealers.
Transfers by mail order and internet sales for non-prohibited firearms, non-prohibited magazines, non-prohibited parts, ammunition, and pistol carbine conversion kits		
Option One: status quo	Regulations would require that where the transfer of an arms item is by mail order or internet sale (not face-to-face transfer), licence holders are to provide information for the registry 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.	This is considered the only feasible option. This is the necessary information to record the details of this event as required under the Arms Act. This is consistent with the information currently required for transfers of arms items by mail order or internet sale.
Imports		
Option One: status quo	Regulations would require that, that information on importations is to be provided to Police as currently required by regulation 13 for inclusion in the registry 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 Customs.	This is the preferred option. This is the necessary information to record the details of this event as required under the Arms Act. The proposal matches the current information requirements in regulation 13.
Option Two: as in Option One but requires information in two stages	Regulations would require that the information in option one above is recorded in the registry in two stages: First, before it arrives in New Zealand, when the importer has been advised by the supplier that the item has been dispatched (to confirm the items and the quantities and to record the serial numbers). Second, on arrival in New Zealand, within five working days after the date on which the item is released by the New Zealand Customs Service (Customs) to the importer or the importer's agent.	Police considered and consulted on this option. It would be difficult for 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. Requiring this information would be impractical and unnecessarily burdensome for licence holders and would not contribute materially to public safety.

Option	Description of the option	Analysis of option
Exports		
Option One: status quo	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: • the name of the licence holder • details of the items exported • 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 • the name and address to which the items are being sent • the date of export and proof of export the export controls permit number, where applicable (i.e. unless not needed by the Ministry of Foreign Affairs and Trade). Regulations would require information on exportations from New Zealand is to be provided to Police for inclusion in the registry only if an export controls permit number issued by the Ministry for Foreign Affairs and Trade is required, in a manner or form to be determined by the Commissioner.	This is the preferred option. This is the necessary information to record the details of this event as required under the Arms Act. This option would limit export information to when an export controls permit number is required by the Ministry of Foreign Affairs and Trade (which excludes when taking sporting arms items overseas on hunting holidays or international shooting contests).
Option Two: option One and information required for any removal of arms items from New Zealand	Regulations would require the above information for any removal of arms items from New Zealand. If an export is exempt from getting an export control permit number, the export would be marked as temporary in the registry and reimport confirmed when the item is returned to New Zealand.	Police considered and consulted on this option. Submitters noted that there is not much to be gained by recording the temporary removal of arms items from New Zealand by licence holders participating in shooting competitions or hunting overseas. They also noted that having to record this information is inconvenient for temporary licence holders having to enter export and import information associated with these trips. This additional information would be impractical and unnecessarily burdensome for firearms licence holders and would not contribute materially to public safety.
Manufacture		
Option One: status quo	Regulations would require that where an arms item is manufactured for sale, hire, lending or other supply, or for personal use, the dealer must provide relevant details which include the particulars which must be	This is considered the only feasible option. This is the necessary information to record the details of this event as required under the Arms Act.

Option	Description of the option	Analysis of option
	provided for the registry and the date on which the item's manufacture is completed.	Dealers are already required to record details of specified arms items they manufacture for sale, hire, lending or other supply (and a person has to be a dealer if they do manufacture arms items for supply). For a complete record of all items possessed by licence holders, it will be necessary to include arms items that licence holders may manufacture for personal use. This is also relevant in determining the safe storage requirements of the licence holder in accordance with the Arms Act's purpose to promote the safe possession of firearms.
Loss, theft or destruction		
Option One: status quo	Regulations would require that in the event of loss, theft, or destruction of a licence holder's arms item, the following particulars would need to be provided to Police for inclusion in the registry: • the date of occurrence • details of the arms item • its last known location.	This is considered the only feasible option. This is the necessary information to record the details of this event as required under the Arms Act.
Imports of ammunition		
Option One: status quo	Regulations would require licence holders 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.	This is considered the only feasible option. This is the necessary information to record the details of this event as required under the Arms Act.
Sales of ammunition by dealers and ammunition sellers		
Option One: status quo	Regulations would require that dealers and ammunition sellers provide the following details for inclusion in the registry: • the name of the person to whom the ammunition was sold, and their licence number or the licence number of the person supervising a non-firearms licence holder to use ammunition • the quantity and type of ammunition sold • the date on which the seller hands over or dispatches the ammunition.	This is the preferred option. This is the necessary information to record the details of this event as required under the Arms Act. Currently, dealers must record in their record books sales of ammunition under regulation 7 and under section 22E, ammunition sellers must keep a record of their ammunition sales. This aligns with current requirements and involves no additional compliance, with the difference being that ammunition sellers can enter these details into a registry rather than a record book. This will avoid the need for Police to make visits to ammunition sellers' premises to

Option	Description of the option	Analysis of option
	If these details are provided online to Police for inclusion in the registry, ammunition sellers will not have to include that same information in a records book. See section 22E(2).	inspect records as their access to the registry will give them access to these records. After initial amounts have been recorded, subsequent transfers of ammunition between licence holders would not be recorded.
Option Two: option one plus information on transfers of ammunition between licence holders	As above in options one plus regulations would require the same information on transfers of ammunition between licence holders.	Requiring this information would be impractical, unenforceable and unnecessarily burdensome for licence holders and would not contribute materially to public safety.
Modification of firearms		
The Arms Act also provides for regulations to be made specifying details on additional events that must be provided for inclusion in the registry.		
Option One: status quo	Regulations do not specify any additional events	As below, Police consider that information on modification of firearms from a prohibited to a non-prohibited firearm is necessary to meet the purpose of the registry.
Option Two: regulations require information on modification of firearms	Regulations would require information on modification of firearms from a prohibited to a non-prohibited firearm to 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.	This is the preferred option. Police consider that information on modification of firearms from a prohibited to a non-prohibited firearm is also necessary to meet the purpose of the registry. Extending the ability to certify modifications to persons authorised by Police, instead of only Police Armoury personnel, would make compliance easier. Note that 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 prohibited as was considered in the discussion document.
Timeframe in which to provide relevant information after an event		
The Arms Act requires that licence holders and prescribed persons provide information to Police in relation to an event involving an arms item. A timeframe for this may be prescribed by regulations.		
Option One: status quo	Do not require a timeframe for licence holders to provide information on any event involving an arms item for inclusion in the registry.	Police consider that there needs to be a time limit for licence holders to record information on any event for the registry to be functional and up-to-date to meet its purpose under the Arms Act.

Option	Description of the option	Analysis of option
Option Two: specify timeframe to record relevant details of any event	For firearms licence holders: Regulations would require that from 24 June 2023 firearms licence holders will be required to provide relevant details to Police of an event, as set out in section 95(2) of the Arms Act: • 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 import, within 30 days after the date on which the arms item is released to the importer by Customs • for notifications of exports, within five days after the date on which the arms item is exported • immediately following loss or discovery of a theft of an arms item For dealers: regulations would require that, from such time as dealer's licence holders or ammunition sellers are required to provide Police with relevant details of an event, as set out in section 95(2) of the Arms Act, they must provide the relevant details at or immediately following the time of the event. Until then transactions would continue to be recorded in the dealer's books.	This is the preferred option. Police consider a time limit for licence holders to upload information after an activating circumstance is necessary for the registry to fulfil its purpose under the Arms Act. Police consider that records of sale and supply need to occur immediately to keep track of the item for operational and public safety reasons. A longer timeframe (30 days) for firearms licence who purchase and receive arms items would not significantly compromise the Registry and would provide flexibility for the variable situations and locations in which people may receive an item. For dealers an immediate timeframe aligns with established requirements to record details of transactions in dealers books (regulation 7F(4) of the Arms Regulations 1992).
Option Three: a time period shorter than proposed in option one	Regulations would require licence holders to provide information to Police within a shorter time period than option one.	Police considered and consulted on a time period of five days for purchase/receipt, manufacture, imports and exports, but now consider that this is too short a time frame which would put undue pressure on licence holders, and in some instances would be near impossible.
Option Four: a time period longer than proposed in option one	Regulations would require licence holders to provide information to Police after a longer time period than option one.	Police consider that a longer time period would not adequately keep the registry current which would compromise the effectiveness of the registry for some time.

Part E Requirements for the effective operation of the registry

The Arms Act provides that regulations may be made on any matters necessary or desirable for the efficient operation of the registry.

Option	Description of the option	Analysis of option
Manner or form of providing information for the Registry		
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.		
Option One: specify manner and form of providing information in regulations	Regulations would specify in regulations the manner or form in which information must be provided, and from when it must be provided in this way (this could vary significantly across the various information required and according to technical capability of the system expected on day one).	This option does not provide the flexibility needed for Police to work with stakeholders on the best ways to input information and for the technical capability of the registry system to develop over time. Specifying such detail in regulations that would need to be continually changed is not practical or effective.
Option Two: provide for manner and form to be determined by the Commissioner	Regulations would provide for information to be provided to Police for inclusion in the Registry in a manner or form to be determined by the Commissioner.	This is the preferred option. This option provides the necessary flexibility as the Registry develops.
Dealers and ammunition sellers record books		
Currently, dealer's licence holders and ammunition sellers may record transactions of arms items and ammunition in a hard copy or electronic form		
Option One: status quo	Dealer's licence holders and ammunition sellers may record transactions of arms items and ammunition in a hard copy or electronic form	Until dealers and ammunition sellers are required to register all their arms items and record events, dealers will continue to record this information in their dealers books which Police may view at any time and Police will use the information to check that individuals are complying with their obligations to register their arms items from day one, as well as ammunition sales. The current ability for dealers and ammunition sellers to record information in record books in various ways, including in hard copy, will make it difficult of police to access and use this information efficiently and effectively.
Option Two: require record books to be provided in a manner	Regulations would require that relevant records in dealer's licence holders and ammunition sellers record books must be provided to Police in a form and manner, and at a frequency, prescribed by the Commissioner.	This is the preferred option. It will enable Police to use records effectively in this new regulatory environment, until such time as dealers and ammunition sellers are required to register all their arms items and record events directly into the registry.

Option	Description of the option	Analysis of option
determined by the Commissioner		
Option	Description of the option	Analysis of option
Executors/administrators of the estate of a deceased person who was in possession of arms items or a person who has power of attorney for a person who is in possession of arms items		
Option One: status quo	Do not impose obligations on estate executor/administrator or those with power of attorney for a person with arms items to provide information for the registry.	The status quo would leave a gap in ensuring that someone is responsible for ensuring that an arms item is registered and stored safely when a licence holder dies or is subject to a power of attorney.
Option Two: obligations on estate executor/administrator or those with power of attorney	Regulations would require 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 arms items - 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 items. This information would include the following: - a photocopy 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 the person with power of attorney - a photograph of the arms item(s) - any identification marking - any transfer of that firearm to a dealer's licence holder or firearms licence holder.	This is the preferred option. It is common for the situation to arise when a licence holder (and sometimes an ex-licence holder) who is still in possession of firearms dies or is subject to a power of attorney and Police is not aware of these firearms. This proposal creates a process for getting these firearms recorded in the registry and noting who is authorised for ensuring they have been safely and legally taken possession of.
Shooting clubs and shooting ranges		
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.		
Option One: provide for shooting club and shooting range	Regulations would provide that:	These are administrative changes which will make it easier for shooting clubs and shooting ranges to interact with the registry, and will clarify that firearms licence holders who possess arms items or

Option	Description of the option	Analysis of option
operators to provide information	- 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 - shooting range operators may be entered digitally into the Registry when the Commissioner allows it. - 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.	ammunition on behalf of a shooting clubs and shooting ranges have responsibility for registration of those items.
Accessing information in the registry		
The Arms Act is silent on access to the registry other than providing for direct data access agreements between the Minister for Police and the Ministers of Conservation, Customs, Foreign Affairs, and Trade already provided for in the Arms Act. The Privacy Act 2020 provides for approved information sharing agreements.		
Option One: status quo	Regulations would allow the following people access to the registry: - members of Police to obtain the details of licence holders, their licences, and their firearm holdings to enable Police to fulfil 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 firearms from or to.	This is the preferred option. This is necessary to meet the purpose of the Arms Act and enable Police to fulfil its lawful functions and Information Privacy Principle 6: Access to personal information.
Option Two: option one plus shooting club and ranges operators	As above in option one, plus regulations would allow the following people access to the registry: - shooting clubs to check on the licence status of members or potential members - shooting range operators to check on the licence status of range users.	No 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. Police has made available on its website an online Firearms Licence Checker to enable confirmation that firearms licences are current.
Duration of records in the registry		
The Arms Act is silent on this matter.		

Option	Description of the option	Analysis of option
Option One: three years	Regulations would 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 <u>plus three years</u> including if, in the meantime, the licence has expired or been revoked.	This is the preferred option. This is an adequate timeframe to enable ownership transfers of firearms to be tracked over their lifecycle. For example, information needs to be retained in case a firearm understood to be destroyed or exported reappears. Retention of high-level records for a period of time helps Police track the ownership history of firearms for example, when investigating an offence.
Option Two: five years	Regulations would 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 <u>plus five years</u> .	Police considered and consulted on this option and consider that this longer period to retain firearms licence holder's information is not necessary.
Application of regulations to items owned by the Crown		
The Arms Act exempts requirements which relate to the registration of arms items from applying to arms items owned by the Crown, unless regulations say otherwise.		
Option One: status quo	The regulations would not apply to any items owned by the Crown.	As below, Police consider the requirements should apply to the Department of Conservation.
Option Two: apply requirements to the Department of Conservation	The regulations would provide for the Commissioner and the Director-General of Conservation to agree that the Department of Conservation would provide the same information as required for other licence holders to Police for inclusion in the registry.	This is the preferred option. Including the arms items owned by the Department of Conservation in the registry would provide consistency with the wider firearms environment. It would align Department employees with requirements around security and transfers of arms items and provide improved visibility and management of Departmental holdings. A transition phase is required to work out the detail of if and how this would work to be agreed between Police and the Department.
Option Three: apply to all Crown agencies who own arms items	The regulations would apply to all Crown agencies who own arms items.	New Zealand Police and New Zealand Defence Force employees are not 'licenced' to possess firearms in the same way as others who use firearms as part of their employment, or for personal use. It would be impractical and unnecessary for Police and Defence and their respective personnel to be subject to the regulations.

Section 3: Delivering an option

How will the new arrangements be implemented?

Police is establishing a branded business unit, the Te Tari Pūreke – Firearms Safety Authority, as a dedicated regulator for the ongoing operation and enforcement of the new regulations and the registry. Te Tari Pūreke will be in operation from December 2022. Police has been, and will continue to, engage with its stakeholder groups and with the wider firearms community on the upcoming establishment of the registry and to assist the firearms community with education and compliance.

Police 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 parts, and locations of firearms. The registry will be part of the AIS.

The digital capability to support the Registry will be delivered in stages from 24 June 2023 to enable licence holders to comply with legislation. From this date, licence holders will be able to digitally and non-digitally upload details of their firearm holdings whilst other processes such as digitally updating details or transferring a firearm(s) will be delivered progressively as the technology build allows. While additional digital functionality for the Registry is being built, users will be able to provide information manually for Police to update the Registry and the wider AIS, thereby ensuring compliance with the legislation. Police intends to establish a call centre and mailed forms data entry capability to enable licence holders and others information to provide information on the phone or by mail.

How will the new arrangements be monitored, evaluated, and reviewed?

Te Tari Pūreke will provide the means for the public or the firearms community to raise issues or concerns with the registry once it is established. The Arms Regulator has a focus on system governance and performance monitoring. It will address any issues as they arise.

The Arms Legislation Act 2020 provides for a review of the amendments to the Arms Act 1983 in 2026, with a specific provision to review the operation of the registry.