



Cabinet Social Wellbeing Committee

Minute of Decision

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Arms Safety and Control: Regulation of Shooting Clubs and Shooting Ranges

Portfolio Police

On 24 August 2022, the Cabinet Social Wellbeing Committee (SWC):

Background

- 1 **noted** that in March 2022, SWC agreed to the release of the discussion document *Proposals for new regulations under the Arms Act 1983 (Phase Two) Shooting Clubs and Ranges*; [SWC-22-MIN-0038]
- 2 **noted** that the discussion document was released on 23 March 2022, and Police received 1,038 submissions that have been analysed and considered in formulating proposals for amendments to the Arms Regulations 1992;

Proposals for regulations: shooting clubs

Application for approval

- 3 **agreed** that an application for approval of a shooting club may be made in writing in a hard copy form approved by the Commissioner of Police, by email (e.g. with a scanned copy of a completed form) or electronically through an internet site;
- 4 **agreed** that all applications for approval of a shooting club must include;
 - 4.1 the name and contact details of the club;
 - 4.2 the name and details of a contact person for the club, with definitions and obligations similar to those for a 'contact person' under the Incorporated Societies Act 2022;
 - 4.3 the names of officers of the committee of the club, with 'officer' and 'committee' to have the same meaning as in the Incorporated Societies Act 2022;
 - 4.4 whether the club is an incorporated society;
 - 4.5 the New Zealand Business Number of the club (if any);
 - 4.6 the aims, objectives and proposed activities of the club;
 - 4.7 the shooting discipline(s) to be followed by the club;
 - 4.8 the shooting range(s) to be used by the club for its shooting activities;

- 4.9 a declaration as to whether firearms or ammunition will be stored at club premises or at any range used by the club;
- 4.10 any other relevant information that the Commissioner of Police reasonably requires;
- 5 **agreed** that all applications for approval of a pistol shooting club must additionally include:
- 5.1 the names and firearms licence numbers, where applicable, of all members;
- 5.2 details of the process for recording member and visitor participation in club-organised shooting activities;
- 5.3 rules regarding primary membership where a person is a member of more than one pistol shooting club;
- 6 **agreed** that all applications for approval of a shooting club must be accompanied by the following supporting information or documents: club constitution or rules; minutes of the last annual general meeting; names of officers; and evidence that the applicant is authorised by the club to make the application;
- 7 **agreed** that if the shooting club has provided any of the information specified in paragraphs 4 to 6 inclusive to the Registrar of Incorporated Societies (or under the Charities Act 2005, as applicable) and it is publicly available, the club does not have to provide that information separately to Police as part of the application;

Conditions of approval

- 8 **agreed** that a shooting club must notify the Commissioner of Police if it ceases to operate, including by amalgamating with another shooting club;
- 9 **agreed** that a pistol shooting club must remain an incorporated society;
- 10 **agreed** that the conditions on approval of a shooting club for which ammunition or firearms are purchased, sold or supplied on its behalf must include the provision of annual financial report approved in accordance with club rules that contains sufficient detail to provide a reconciliation of items purchased, held, sold or supplied by the club, and evidence that the revenue is used for the benefit of the club;
- 11 **agreed** that a pistol shooting club, or a shooting club for which ammunition or firearms are sold or supplied on its behalf, must notify the Commissioner of Police if it ceases to be registered as an incorporated society;

Annual reports

- 12 **agreed** that a shooting club must include in the annual report required under s 38K of the Arms Act 1983:
- 12.1 any changes to the club's rules or constitution since it applied for approval or since the previous annual report, whichever is the later;
- 12.2 any change to officers since it applied for approval or since the previous annual report, whichever is the later;
- 12.3 the minutes of the most recent annual general meeting;

- 13 **agreed** that a pistol shooting club must additionally include in the annual report required under s 38K of the Arms Act 1983:
- 13.1 a list of names and firearms licence numbers, where applicable, of members;
 - 13.2 a list of scheduled club-organised shooting activities, including their locations, held during the past year and planned for the next year;
- 14 **agreed** that if ammunition or firearms are sold or supplied on behalf of a shooting club, the shooting club must additionally include in its annual report a financial report that contains sufficient detail to provide a reconciliation of items purchased, held, sold or supplied by the club, and evidence that the revenue is used for the benefit of the club as specified in paragraph 10 above;
- 15 **agreed** that if the shooting club has provided any of the information specified in paragraphs 12 to 14 inclusive to the Registrar of Incorporated Societies (or under the Charities Act 2005, as applicable) and it is publicly available, the club does not have to provide that information separately to Police as part of the annual report;

Membership of a pistol shooting club

- 16 **agreed** that a pistol shooting club must:
- 16.1 maintain a current list of names and firearms licence numbers, where applicable, of members;
 - 16.2 notify Police within 28 days of a member leaving the club including through resigning, having their membership terminated or not renewing their membership within 28 days of the end of the membership year;
 - 16.3 notify Police within 28 days of a new member joining the club or a membership application being declined by the club;
- 17 **agreed** that the holder of a pistol endorsement must notify Police within 28 days of becoming a member, or ceasing to be a member, of a pistol shooting club, or having a membership application declined by a pistol shooting club;

Membership of a shooting club other than a pistol shooting club

- 18 **agreed** that a shooting club other than a pistol shooting club must maintain a current list of names and firearms licence numbers, where applicable, of members;

Membership of the committee of a shooting club

- 19 **agreed** that:
- 19.1 no person may be a member of the committee of a shooting club if they are disqualified from holding a firearms licence, or have had their firearms licence revoked within the past 5 years;
 - 19.2 no person may be a member of the committee of a pistol shooting club if their pistol endorsement has been revoked within the past 5 years;

Participation in the shooting activities of a pistol shooting club

- 20 **agreed** that a person under 16 years of age may participate in scheduled shooting activities organised by a pistol shooting club under the immediate supervision of a firearms licence holder only if they are a member of the club;
- 21 **agreed** that when a member of a pistol shooting club reaches the age of 16 years, in order to continue participating in scheduled shooting activities organised by the club under the immediate supervision of a firearms licence holder they:
- 21.1 must apply for a firearms licence and a pistol endorsement before reaching the age of 17;
 - 21.2 must remain a member of that pistol club;
 - 21.3 must pass an examination that is conducted by a member of the Police, or a person approved for the purpose by a member of the Police, and which is designed to demonstrate knowledge of safe possession and use of a pistol and the obligations of a pistol endorsement-holder;
 - 21.4 may continue to participate in scheduled shooting activities organised by the club under the immediate supervision a club member holding a pistol endorsement only until the licence and endorsement are obtained or their application is declined;
- 22 **agreed** that otherwise a person 16 years or older who is not a member of a pistol shooting club:
- 22.1 may participate in scheduled shooting activities organised by the pistol shooting club which they are seeking to become a member of, up to a for a maximum of three times under the immediate supervision a club member holding a pistol endorsement on their New Zealand firearms licence;
 - 22.2 after participating in that club's scheduled shooting activities on no more than three occasions they must apply to become a member of that club and apply for a firearms licence:
 - 22.2.1 must apply for a firearms licence;
 - 22.2.2 apply to become a member of the club where they had participated in scheduled shooting activities under immediate supervision;
 - 22.2.3 must apply for a pistol endorsement;
 - 22.2.4 must pass the examination referred to in paragraph 21.3;
 - 22.2.5 may continue to participate in scheduled club-organised shooting activities under the immediate supervision of a club member holding a pistol endorsement, only until the endorsement is obtained or their application is declined;

Recording participation in shooting activities organised by a pistol shooting club

- 23 **agreed** that a pistol shooting club must:
- 23.1 record the dates of participation by members and non-members, and their firearms licence numbers, in scheduled shooting activities organised by the club;
 - 23.2 provide these records of participation to Police within 28 days of the end of each year ending 30 June;
- 24 **agreed** that r 22 of the Arms Regulations 1992 be amended to clarify that for a person to "participate actively in the affairs of the pistol shooting club by taking part in its activities, on the pistol range used by that club" they must participate in scheduled shooting activities organised by that club on the pistol ranged used by that club;
- 25 **agreed** that the holder of a pistol endorsement must provide records of participation in scheduled shooting activities organised by the primary pistol shooting club of which they are a member to Police within 28 days of the end of each year ending 30 June, once the arms registry allows direct entry of this information by the endorsement-holder;

Secure storage of firearms or ammunition in relation to shooting clubs

- 26 **agreed** that a shooting club, if firearms or ammunition are stored on premises used by the club, must ensure that secure storage facilities are available for the firearms or ammunition, and that these facilities meet a prescribed standard (which will be those prescribed for dealers in r 8A of the Arms Regulations 1992, adapted as necessary for a club environment);
- 27 **agreed** that pistols may not be stored overnight at premises used by a shooting club without the prior written authority of a member of the Police;

Sale or supply of ammunition on behalf of a shooting club

- 28 **agreed** that a shooting club, if ammunition is sold on behalf of the club, must keep a record of:
- 28.1 the firearms licence number of the person selling the ammunition;
 - 28.2 the firearms licence number of the person taking possession of the ammunition for their personal use or the use of a person using a firearm under their immediate supervision;
- 29 **agreed** that record-keeping and record inspection provisions be applied to the sale or supply of ammunition referred to in paragraph 28 that are similar to those required of an ammunition seller (s 22E of the Arms Act 1983), and those records are kept for ten years and that if a club no longer holds a certificate of approval, the club must surrender the records to Police;

Proposals for regulations: shooting ranges**Application for certification and renewal of certification where circumstances have significantly changed within the previous 5 years**

- 30 **agreed** that an application for certification of a shooting range may be made in writing in a hard copy form approved by the Commissioner of Police, by email (e.g. with a scanned copy of a completed form) or electronically through an internet site;

- 31 **agreed** that all applications for certification of a shooting range must include:
- 31.1 the name and contact details of the applicant;
 - 31.2 the name and contact details of the range operator if not an individual;
 - 31.3 the New Zealand Business Number (if any) of the range operator;
 - 31.4 the firearms licence number, if any, of the range operator if a natural person;
 - 31.5 the address and map coordinates of the range or ranges at a site;
 - 31.6 the number and names of ranges if several ranges are at that site;
 - 31.7 the use or proposed use for the shooting range: firearm type and maximum calibre;
 - 31.8 the dates of use if the shooting range is to be used only for a limited period;
 - 31.9 any other relevant information that the Commissioner of Police reasonably requires;
 - 31.10 a declaration that all necessary territorial authority and regional council consents have been obtained;
 - 31.11 a declaration that the landowner(s) for the shooting range and associated danger area has/have consented to the use of the land as a shooting range;
 - 31.12 a declaration that the applicant is aware of the need to seek Police approval of proposed deviation from the conditions of certification;
 - 31.13 a declaration that the applicant is aware of the need to seek Police approval for proposed changes to range standing orders that will change, or are likely to change, the ballistic characteristics of the range or the safety or operation of the range;
 - 31.14 a declaration that all information in the application is true and correct;
 - 31.15 a declaration (if applicable) that the applicant is authorised to make the application on behalf of the shooting range operator;
- 32 **agreed** that all applications for approval of a shooting range must be accompanied by the following supporting information or documents: the range standing orders for the shooting range, and a range inspection report by a shooting range inspector recognised by the Commissioner of Police;

Application for renewal of certification where circumstances have not changed significantly within the previous 5 years

- 33 **agreed** that all applications for renewal of certification of a shooting range where the circumstances of the range have not changed significantly within the previous 5 years must include:
- 33.1 the name and contact details of the applicant;
 - 33.2 the name and contact details of the range operator if that person is not the applicant;
 - 33.3 the New Zealand Business Number (if any) of the range operator;
 - 33.4 the firearms licence number, if any, of the range operator if a natural person;

- 33.5 the address and map coordinates of the range;
- 33.6 details of any changes made to the circumstances of the shooting range since application for certification or the previous renewal of certification, or a declaration that there have been no such changes;
- 33.7 any other relevant information that the Commissioner of Police reasonably requires;
- 33.8 a declaration that the applicant is aware of the need to inform Police of proposed deviation from the conditions of certification;
- 33.9 a declaration that the applicant is aware of the of need to seek Police approval for proposed changes to range standing orders that will change, or are likely to change, the ballistic characteristics of the range or the safety or operation of the range;
- 33.10 a declaration that all information in the application is true and correct;
- 33.11 a declaration that applicant is authorised to make the application on behalf of the shooting range operator (if applicable);

Shooting ranges: officers on duty

- 34 **agreed** that a shooting range operator must maintain a record of trained officers on duty who are used on that range to meet the requirements of s 38Q(1) of the Arms Act 1983;

Range standing orders

- 35 **agreed** that a shooting range operator must have for a certified shooting range, range standing orders that include the mandatory headings set out in appendix 5 of the *New Zealand Police shooting range manual*;
- 36 **agreed** that a shooting range operator must seek approval from Police for a proposed amendment to the range standing orders if the amendment will change, or is likely to change, the ballistic characteristics of the range or the safety or operation of the range;
- 37 **agreed** that the amended range standing orders are applicable once Police have confirmed that the changes to the range standing orders do not require application for a variation in the conditions of certification;
- 38 **agreed** that a certificate for certification of a shooting range granted under s 38P of the Arms Act 1983 is subject to the condition that the shooting range operator must comply with the range standing orders relevant to that range as supplied to Police in support of the application for certification or as amended later with the approval of Police;
- 39 **agreed** that a shooting range operator must take reasonable and practicable steps to ensure that anyone who uses a certified shooting range must have ready access to the current version of the range standing orders, whether in paper or electronic form, and is advised when changes are made to the range standing orders;

Secure storage of firearms and ammunition in relation to shooting ranges

- 40 **agreed** that if firearms or ammunition are stored at a shooting range, the shooting range operator must ensure that secure storage facilities are available for the firearms or ammunition, and that these facilities meet a prescribed standard (which will be those prescribed for dealers in r 8A of the Arms Regulations 1992, adapted as necessary for a range environment);

- 41 **agreed** that pistols may not be stored overnight at a shooting range without the written authority of a member of the Police;

Proposals for regulations: shooting clubs and shooting ranges

Cost recovery

- 42 **noted** that in April 2022, Cabinet approved the Arms, Safety and Control initiative for Vote Police for inclusion in the 2022 Budget package, which included:
- 42.1 approval to appropriate \$47.007 million in operating and capital funding to Vote Police in financial year 2022/23;
 - 42.2 an increase to the “Implementation of the Arms Legislation Act” tagged operating and capital contingency of \$161.392 million;
 - 42.3 a drawdown of \$7.1 million operating funding for 2022/23 for financial year from the existing tagged operating and capital contingency;
 - 42.4 an agreement that any further drawdowns for 2022/23 and 2023/24 would be subject to a report-back to the Minister of Finance and the Minister of Police on implementation progress to date, including development of the registry and the new fee schedule;
 - 42.5 direction to officials to report back to the Minister of Finance and the Minister of Police by 30 November 2022 with a detailed implementation plan that includes a timeline for the roll-out of a new fee schedule and revised costings in order to better understand the amount likely to be recovered from third-party revenue;
 - 42.6 an agreement that the drawdown from 2024/25 is contingent on the implementation of a revised fee schedule;
- [CAB-22-MIN-0129]
- 43 **noted** that the proposed fees relating to shooting clubs and shooting ranges are set at an estimated 50 percent of the direct costs to Police to deliver the related regulatory activities to reflect the balance of private and public benefit arising from regulating the clubs and ranges sector, and to reduce potential non-compliance from a sector that has been largely unregulated;
- 44 **noted** that fees for processing an application for certification of a shooting range include the cost of Police undertaking inspections and compliance checks;
- 45 **noted** that a certificate of approval for a shooting club does not have to be renewed, and a club needs to pay a subsequent application fee only if it reapplies for approval;
- 46 **agreed** that fees for shooting clubs will be (all amounts including GST):
- 46.1 processing an application for approval of a shooting club, \$140;
 - 46.2 to cover the costs of Police compliance activities in relation to shooting clubs: \$40 per year for shooting clubs for which ammunition or firearms are sold or supplied on its behalf, and \$30 per year for other shooting clubs;

- 47 **agreed** that fees for shooting range operators will be (all amounts including GST):
- 47.1 for processing an application for certification of a clay target range, \$400;
 - 47.2 for processing an application for certification of a shooting range used for a limited time, \$250;
 - 47.3 for processing an application for certification or renewal of certification of any other shooting range (other than for renewal where that has been no significant change to the circumstances of the range), \$400, plus \$45 for each additional range at a single range complex, up to a maximum of \$625 for 6 or more ranges at a complex;
 - 47.4 processing an application for renewal of certification of a shooting range where there has been no significant change to the circumstances of the range within the previous five years, \$200;

Reporting

- 48 **agreed** that a shooting range operator and a shooting club must maintain a risk register available for inspection by Police recording incidents and safety breaches that do not result in injury or death but have the potential to do so in other circumstances;

Process for the regulations

- 49 **invited** the Minister of Police to issue drafting instructions to the Parliamentary Counsel Office to amend the Arms Regulations 1992 to give effect to the above decisions;
- 50 **authorised** the Minister of Police to make decisions on any minor or technical matters that arise during the drafting process, consistent with the overall policy direction in the paper under SWC-22-SUB-0154;
- 51 **invited** the Minister of Police to issue drafting instructions to the Parliamentary Counsel Office to make minor and technical amendments to the Arms Regulations 1992 to correct errors, as listed in Appendix 4 of the submission under SWC-22-SUB-0154;
- 52 **invited** the Minister of Police to report back to the Cabinet Legislation Committee with draft regulations for submission to the Executive Council;
- 53 **noted** that the implementation of the new regulations relating to shooting clubs and shooting ranges will not require additional funding.

Rachel Clarke
Committee Secretary

Present:

Rt Hon Jacinda Ardern
Hon Grant Robertson
Hon Kelvin Davis
Hon Dr Megan Woods
Hon Chris Hipkins (Chair)
Hon Andrew Little
Hon Damien O'Connor
Hon Jan Tinetti
Hon Dr Ayesha Verrall
Hon Priyanca Radhakrishnan
Hon Meka Whaitiri

Officials present from:

Office of the Prime Minister
Officials Committee for SWC