



Cabinet Social Wellbeing Committee

Minute of Decision

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Strengthening the Framework for the Safe Use and Control of Firearms

Portfolio Police

On 12 June 2019, the Cabinet Social Wellbeing Committee:

Background

- 1 **noted** that on 25 March 2019, Cabinet directed the Minister of Police to report on proposals to strengthen the firearms regulatory regime [CAB-19-MIN-0124];
- 2 **noted** that:
 - 2.1 the Arms Act 1983 (the Act) has not seen any substantial reform in the last 36 years, and is no longer fully fit for purpose;
 - 2.2 the proposals in the submission under SWC-19-SUB-0053 seek to balance safe and legitimate use with managing the risk of harm to public safety;

Part A: A Purpose Statement for the Act

- 3 **agreed** that a new Purpose Statement for the Act be introduced to reflect that:
 - 3.1 the possession and use of a firearm, weapon or ammunition is a privilege;
 - 3.2 people with permissions to possess, use, import, sell and/or supply firearms, weapons and ammunition have a responsibility to act in the interests of personal and public safety;
 - 3.3 everybody works together to promote and protect personal and public safety;

Part B: Registry of information and online registration platform

- 4 **noted** that a significant problem in New Zealand is that the open market and limited regulation of that market mean there is no way of knowing how many firearms there are, or where they are;
- 5 **agreed** that an online registration platform be established with the capability to monitor, track and record the lifecycle of a firearm, by being a repository of the following types of information:
 - 5.1 every licence holder's details, including full name, date of birth, address;

- 5.2 the licence holder's licence number, term of licence (date of expiry), other licences or endorsements linked to the person, and any conditions on any endorsements;
- 5.3 the make, model and a unique identifier (and any other information) for each firearm possessed by each licence holder and certain information on parts, magazines, items and ammunition;
- 5.4 the address or location of the firearms;
- 5.5 firearms transfers by recording the purchase and sale transactions and of both new and second hand firearms, with the buyer and the seller required to independently confirm the trade, along with imports, exports and firearms disposals;
- 5.6 any other relevant information that is prescribed by regulations;
- 6 **noted** that the registry will be designed as an online self-service platform that will enable identify verification and payment processes;
- 7 **noted** that paper-based systems will continue to enable those without the ability to access an online self-service platform can meet their obligations to register their firearms and firearms transfers;
- 8 **noted** that a licence is not currently required to purchase or possess magazines or parts;
- 9 **agreed** that a licence be required when purchasing magazines and parts;
- 10 **agreed** that the registry be enabled to collect information on ammunition, magazines and parts;
- 11 **agreed** that trading between individuals be allowed to continue because the online registration platform provides for a mechanism to better manage the firearms market;
- 12 **agreed** that buyers and sellers of firearms be required to transfer ownership through the registry (or through a paper-based form in limited circumstances);
- 13 **noted** that sellers are currently required to check the buyer's licence credentials before the sale proceeds, and that this obligation will remain;
- 14 **noted** that the online registry will not enable the sale to proceed if the seller and buyer licences or the firearms numbers are not correct, which will help to prevent fraudulent or inappropriate trades and the use of false identities;
- 15 **noted** that the online registry will enable a follow-up if a buyer has not confirmed possession of firearms, and that Police will also have a role in ensuring transfers have been completed;
- 16 **agreed** that the registry be populated over a five year period by collecting information from firearms owners at the licensing and re-licensing stage, when they register firearms during sale and purchase, when they notify a change in circumstances, and when subject to compliance or enforcement action;
- 17 **agreed** that if none of the circumstances in paragraph 16 above have arisen within five years of the registry going live, there will be a requirement for licence holders to populate the registry by that date;
- 18 **agreed** that regulations will set out the detail of the scope and types of information collected into the registry, as anticipated by the above paragraphs;

19 **noted** that the online registration platform should be made available for use by the end of 2020, and that obligations to provide information to the registry at touch points would not apply until the platform is ready;

20 s9(2)(f)(iv)

21 s9(2)(f)(iv)

22 s9(2)(f)(iv)

Part C: Licensing system design

Individual licensing

23 **noted** that there is an opportunity to strengthen licensing processes to ensure only those who are genuinely fit and proper can possess firearms, reflecting the new public safety elements of the Purpose Statement of the Act;

24 **agreed** that the Act set out the following broad direction on the positive behaviours, skills, and knowledge a person may demonstrate to help show they are fit and proper to obtain a firearms licence:

24.1 the knowledge and skills, or access to the knowledge and skills, for the safe use and possession of firearms;

24.2 behaviour consistent with the personal and public safety objectives of the Act;

24.3 knowledge of, and adherence with, their legal obligations and any conditions of their licences;

25 **noted** that Police may issue further guidance as required to assist applicants to meet the above tests, which could include, but not be limited to, acquiring skills through hands-on safe firearms use under supervision, learning skills and knowledge through target shooting and hunting clubs, or other firearms training courses;

26 **agreed** that the Act specify that a person meeting the following criteria in the 10 years prior, will be disqualified from obtaining a licence:

26.1 when they have been convicted of, or released from custody after being convicted of (whatever is the later):

26.1.1 serious offences relating to the misuse of drugs;

26.1.2 an offence relating to participation in an organised crime group (section 98A of the Crimes Act 1961);

26.1.3 serious offences involving the use or threatened use of violence;

26.1.4 serious offences involving the use, carriage, discharge or possession of a firearm or weapon;

26.1.5 when a protection order, other than a temporary protection order, has been made against them;

27 **agreed** that the Act specify that a person who meets the above criteria after obtaining a licence will have their licence revoked;

28 **noted** that the above criteria remove any decision-making from Police and, as such, there would be no review or appeal rights;

29 **agreed** that the Act specify indicators that enable Police to seek further information to establish any concerning pattern of behaviour that can be taken into account in an assessment of a person's likelihood of being fit and proper:

29.1 has been the subject of a protection order;

29.2 has shown no regard for the Act or Arms Regulations;

29.3 has been involved in substance abuse;

29.4 has committed a serious offence against the Act;

29.5 has committed any serious offence against any other Act;

29.6 has committed a series of minor offences against the Act;

29.7 has committed crimes involving violence or drugs or alcohol;

29.8 is a member of, or has close affiliations with, an organised crime group or gang involved in committing violent offences;

29.9 has been or is the primary aggressor in serious family violence incidents;

29.10 has shown patterns of behaviour demonstrating a tendency to, or encouraging or promoting, violence, hatred or extremism;

29.11 has exhibited significant mental ill health or attempted suicide or other self-injurious behaviour;

29.12 has shown disregard for others property and land or Crown property and land;

29.13 has been assessed as a risk to a state's national security; or

29.14 any other discretionary criterion as defined in regulations;

30 **agreed** that, given circumstances can change over a licence period, the Act require licence holders to disclose on an ongoing basis material changes, including:

30.1 serious mental health changes or any temporary or permanent physical hindrance that might prevent the applicant from safely using a firearm;

30.2 any changes relating to the set of discretionary factors that are considered as part of the fit and proper test, for example drug abuse, gambling addiction or violence;

31 **noted** that the above obligation places the onus on the firearm's owner to make safe and responsible choices in line with the overarching purpose of the Act in ensuring personal and public safety;

- 32 **agreed** that health practitioners have a responsibility to notify Police if, in their professional view, a firearms licence holder should not be permitted to use a firearm or should use a firearm under limited circumstances;
- 33 **agreed** that the legislation set out a process for a licence holder to be further assessed by a health practitioner if a health practitioner has notified their concerns;

Protections for applicants and licence holders

- 34 **agreed** that information must be substantiated if it is to be used to inform a fit and proper assessment;
- 35 **agreed** that information used to inform a fit and proper assessment must consider the timing and nature of situations, and must be relevant to the personal and public safety risks, including national security;
- 36 **agreed** that the registry may supply an applicant with the results of a fit and proper assessment unless there are grounds to withhold, including whether there are suppression, non-publication orders or if there are risks relevant to personal and public safety, including national security;

Duration of individual firearms licence

- 37 **noted** that the Minister of Police considers the 10 year licence period is too long to provide confidence that licence holders are continuing to act responsibly, to ensure the safety and security of firearms storage, and to ensure general public safety;
- 38 **agreed** that the individual firearms licence be issued for five years;
- 39 **agreed** to grandfather those that have 10 year licence durations, and that once their current licence period expires they will transition to a five year licence;
- 40 **noted** that the application for a licence every five years will mean licence holders pay a licence fee more often;
- 41 **noted** that licence fees will also need to increase, because currently, the full cost of obtaining a licence is not covered by firearms users, but is instead covered by the Crown;
- 42 **noted** that Cabinet's decisions about cost recovery in 2020 will establish whether full or partial cost recovery will be put in place, and what proportion of the increased fees will be paid by applicants;

Conditions on licence

- 43 **agreed** that the Act provide that all licence holders have a responsibility to take reasonable steps to act in the interests of personal and public safety, expressed as a specific condition on all firearms licences;

Inspection of licence holders premises on notice

- 44 **noted** that the Act currently provides for the inspection of the security arrangements for people who have pistols, restricted weapons, prohibited firearms or prohibited magazines, at a time reasonable to do so;
- 45 **noted** that in light of the registry and other proposals outlined in the paper under SWC-19-SUB-0063, the Minister of Police does not think it is necessary to limit the number of firearms that can be held by a person;

- 46 **agreed** that, instead, the Act introduce a similar provision for the inspection of security arrangements, including in vehicles, of all licence holders and firearms (before obtaining a licence and after obtaining a firearm) with notice, and at a reasonable time;
- 47 **agreed** that Police be required to give notice of an inspection, and undertake the inspection at a reasonable time;
- 48 **noted** that the above provision is important in order to provide assurance that firearms are being securely stored on an ongoing basis, to stem to flow of firearms into the illegitimate economy through theft;

Licensing of visitors

- 49 **noted** that someone on a Visitor's Visa may be able to gain a firearms licence in the same way as anyone else can;
- 50 **noted** that the licence is issued for up to one year or for the duration of the stay;
- 51 **noted** that 80 percent of visitors bring their own firearms, which must be registered as they are imported, and others shoot under the supervision of a licence holder;
- 52 **agreed** that a visitor with a licence be prohibited from purchasing firearms in New Zealand;

Licensing for dealers

- 53 **noted** that the definition of a 'dealer' in the Act does not clearly cover all circumstances when someone is in fact acting in a manner consistent with dealing;
- 54 **agreed** that the Act clarify that dealing covers people in the business of buying, selling, supplying, manufacturing, repairing, investing in, or otherwise carrying out commercial transactions involving firearms;
- 55 **noted** that the Act requires a one year dealer's licence to be issued only if Police are satisfied the applicant is fit and proper person to carry on the business of a dealer;
- 56 **agreed** to strengthen and expand upon the fit and proper test so that Police must be satisfied that a dealer has an excellent character and sound technical capabilities;
- 57 **agreed** that the Act specify that positive examples that may demonstrate a person has an excellent character and sound technical capabilities are:
- 57.1 sound knowledge of firearms and their purposes;
 - 57.2 understanding of own legal obligations;
 - 57.3 understanding of, and ability to communicate, firearms law and obligations of individual licence and endorsement holders;
 - 57.4 financial probity and an ability to manage financial and record-keeping systems;
 - 57.5 business partners and close associates who are also fit and proper persons;
 - 57.6 a minimum technological capability to meet any required safety plans record-keeping, reporting obligations and any other interface with the registry as required;

Licensing for clubs and shooting ranges

- 58 **noted** that there are at least 260 rifle and shooting clubs that do not have any firearms licensing requirements or Police oversight;
- 59 **noted** that there is a Letter of Agreement between Pistol New Zealand and Police, and that elements of this are more appropriately included in statute;
- 60 **noted** that operators are not required to be a firearms licence holder, nor do they need to have any specific knowledge or expertise of firearms;
- 61 **agreed** that the Act provide that shooting clubs and ranges, including pistol clubs, be licensed by specifying:
- 61.1 the definition of a club or range;
 - 61.2 the requirements of the licensed owner, manager, or person in charge at any one time (the operator);
 - 61.3 a monitoring regime over members, who must be licence holders, including ensuring all users have agreed to abide by the rules as a pre-requisite of using the club and range and show evidence that they are enforced;
 - 61.4 planning and reporting requirements in relation to risk management and public safety plans, and a charter around the safe operation and healthy attitudes to firearms ownership and use published in visible locations at the club;
 - 61.5 a monitoring, inspection and intervention regime;
 - 61.6 ongoing training programmes for users, instructors and supervisors;
 - 61.7 a requirement to provide the Commissioner with information on request;
- 62 **agreed** that the licensing regime provide for those that need to train, and are endorsed or enabled to shoot, prohibited firearms;
- 63 **agreed** that the Act require the licensed operator be assessed as being of excellent character, such that they have:
- 63.1 sound knowledge of the types of firearms the operator allows shooters to use on their premises or land;
 - 63.2 sound knowledge of the New Zealand Police Range Manual, Principles for the Design and Development of Shooting Ranges and/or the Target Shooters of New Zealand Target Shooting Range Manual and Range Operation Manual, or other relevant equivalent;
 - 63.3 completion of a Range officer course;
 - 63.4 patterns of behaviour consistent with operating a club or range in the interests of personal and public safety;
 - 63.5 understanding and communicating firearms obligations to members including, but not limited, to security of storage and transport of firearms, as well as supervision etc;

- 64 **agreed** that the principal requirements of the licensing regime, as above, be outlined in legislation and more detail set out in regulations, so that the regime can be designed with club and shooting ranges, and can be tiered based on the size and nature of the club or range;

Licensing decision review process

- 65 **noted** that a person whose licence application is declined or whose licence is revoked may appeal to the court;
- 66 **noted** that the Minister of Police considers that there is value in building in a legislatively provided for review step, prior to a court appeal;
- 67 **agreed** that the Act provide a decision review process to be undertaken by a person delegated by the Commissioner of Police who was not involved in the original decision making;

Part D: Proposals that clarify and strengthen the Act

Compliance and enforcement

- 68 **noted** that Police as a regulator require a wider and more graduated suite of compliance and enforcement tools;
- 69 **agreed** that the Act provide for the:
- 69.1 issue of Improvement Notices to licence holders that will identify the requirements that are not being met, and may include remedial steps that should be taken to comply with requirements, by a particular date;
 - 69.2 revocation of a licence if the licence holder fails to meet the identified requirements;
 - 69.3 immediate suspension of a licence when a revocation process commences and the immediate seizure of firearms, or a requirement to surrender firearms;

Offences and penalties

- 70 **noted** that the offences and penalties in the Act need updating, and that new offences and penalties will be required as a result of changes to the Act;
- 71 **noted** that officials will consult with the Ministry of Justice about the existing and new offences and penalties;
- 72 **authorised** the Minister of Police and the Minister of Justice to make decisions on the details of the offence and penalty proposals, including penalty levels;
- 73 **agreed** that Cabinet confirmation of such decisions be sought when seeking approval to introduce the Bill;

Clarification of fee setting powers for cost recovery

- 74 **noted** that the current fee setting provision in the Act is narrow, does not allow Police to charge for the full range of its regulatory services, and does not provide for administrative matters such as fee exemptions, payment and fee waivers;
- 75 **noted** that the financial implications section of the paper under SWC-19-SUB-0063 provides information on the current costs to administer the Act and the additional cost to implement the proposals;

- 76 **agreed** to amend the Act to provide for:
- 76.1 the principles for setting fees to recover direct and indirect costs;
 - 76.2 methods for cost recovery (e.g. fixed fees, fees charged on an hourly basis, or on-charging third party charges, differential fees based on risk);
 - 76.3 regulatory activity for which Police may charge fees including, but not limited to:
 - 76.3.1 assessing firearms licence holders' fit and proper status and the issue of a licence;
 - 76.3.2 issuing, dealer, and club and range licences;
 - 76.3.3 issuing endorsements;
 - 76.3.4 registering firearms, including the costs of establishing and maintaining register;
 - 76.3.5 monitoring and recording sale and purchase transactions;
 - 76.3.6 undertaking inspections and compliance checks;
 - 76.3.7 monitoring compliance with licence, endorsement, and permit conditions when for example, issued with Improvement Notices;
 - 76.4 principles for fee exemptions, waivers or refunds;
 - 76.5 regulation making power to set detail related to the above, including:
 - 76.5.1 the time any fee becomes payable;
 - 76.5.2 how fees may be paid;

New notice-making powers

- 77 **noted** that the Act has a wide suite of regulation-making powers but at present there is no other enforceable instrument that operates as tertiary legislation, and that notice-making powers are a useful mechanism in a regulatory toolkit;
- 78 **agreed** that the Act provide for a notice-making power, with notices approved by the Minister of Police, to provide:
- 78.1 further detail to the Act (for example, further detail about conditions that may be placed on licence holders);
 - 78.2 further detail to expand on regulations (for example, minimum standards or performance standards for security requirements);

Technology-enabled information sharing (Direct Data Access)

- 79 **noted** that people who apply for firearms licences provide personal information to Police, and that in managing that information, the Act is intended to operate within the bounds of the Privacy Act 1993;

- 80 **noted** that Police is likely to need additional information from other government departments, such as identity information, travel history information, customs and excise information, and that it is very inefficient to collect this kind of information using case-by-case enquiries and manual systems;
- 81 **noted** that a Direct Data Access (DDA) type mechanism formally enables one agency to directly access another agency's data repository in real time;
- 82 **agreed** that to enable a technology-enabled registry, information sharing options be considered, including DDA-type provisions similar to those in the Intelligence and Security Act 2017;
- 83 **noted** that there may be a range of agencies which may need to access the firearms platform and Police may need direct access to their information;
- 84 **noted** that Police will consult with the Privacy Commissioner and these other agencies to determine purposes and types of information sharing;
- 85 **agreed** to a consequential amendment to the Intelligence and Security Act 2017 to add firearms and licensing information to Schedule 2 databases accessible to intelligence and security agencies in relation to the New Zealand Security Intelligence Service (NZSIS), thereby allowing the NZSIS to negotiate a Direct Access Agreement with Police regarding firearms and licensing information in order to support NZSIS to achieve its functions under the Intelligence and Security Act;

Commissioner's stakeholder group

- 86 **agreed** that the Act require the establishment of a stakeholder advisory group with invited members from the firearms community and wider non-firearms community to undertake an advisory role to the Commissioner of Police, from a public interest perspective, including making recommendations relating to regulating New Zealand's firearms regime and undertaking research;
- 87 **noted** that the stakeholder group will provide critical independent advice to the Commissioner on matters relating to the operation of the firearms regime;
- 88 **agreed** that the establishment of the group include the following features:
- 88.1 up to nine members, with terms of office to be renewable and for up to three years each time;
 - 88.2 a Chair appointed by the Minister of Police;
 - 88.3 the power to regulate their own procedures;
 - 88.4 administrative assistance provided by Police, with an annual budget coming from Police appropriations;
 - 88.5 fees and expenses to be paid in accordance with the Fees and Travelling Allowances Act 1951 (and the advisory group and any sub-committee deemed a Statutory Board for the purposes of that Act);
 - 88.6 a requirement to prepare an annual report of its operations for the year;
 - 88.7 member indemnity for any act done in good faith in the course of the operations of the group;

Five year review

- 89 **noted** that the Minister of Police expects a review of the Act and wider Arms regime to be undertaken;
- 90 **agreed** that the Act require the review to be started five years after the Amendment Act is passed and tabled within 18 months;

Part E: Follow up matters**Competitive shooting using prohibited firearms**

- 91 **noted** that the recent amendments did not provide for an exemption to possess and use prohibited firearms for sporting competitors, and that as a result sports shooters would no longer be able to compete in national and international events using semi-automatic rifles and shotguns;
- 92 **noted** that it is estimated that approximately 3,000 to 5,000 club members recently competed with prohibited firearms at local and regional club and interclub competitions, and that there is a risk that a wide exemption could increase the number of prohibited firearms in circulation;
- 93 **noted** that Australia did not provide for sport shooters to continue to compete using military style semi-automatics when they changed their gun laws in 1996;
- 94 **noted** that, while the Minister of Police's preference is no exemption for sports shooters (the status quo) because of risks to public safety of continuing to enable the use of prohibited firearms, the Minister undertook to reconsider whether to provide an exemption for sports shooters to enable them to compete using prohibited firearms;
- 95 **noted**, however, that a narrow exemption that grandparented the approximately 10 current international competitors may strike the right balance;
- 96 **agreed** to retain the status quo and not enable an exemption for sports shooters to use prohibited firearms in competitions;

Duration of endorsements

- 97 **noted** that there are endorsements on licences that enable individuals to possess restricted weapons, pistols and prohibited firearms;
- 98 **agreed** to clarify that the endorsement lasts for the length of time left on the licence that is being endorsed, and that a new application for an endorsement must be made when an application is made for a new licence;
- 99 **noted** that due to the seasonal nature of pest control work, the Minister of Police has considered whether a pest-control related endorsement to use prohibited firearms should be treated differently and last for a shorter period of time;
- 100 **agreed** that the pest-control related endorsement will only last for two years (or the length of the licence, whichever is shorter);
- 101 **noted** that if the grounds under which the endorsement was given no longer exist (for example, if the person is no longer employed as, or contracted as, a pest-controller), the endorsement may be revoked earlier;

Advertising

- 102 **noted** that there are no obligations relating to advertising for the sale of firearms and ammunition;
- 103 **agreed** that the Act provide a regulation-making power to prescribe requirements for advertising;

Exemption for manufacturing

- 104 **noted** that a transitional provision was included in the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 to enable existing manufacturers to continue to use prohibited firearms, or manufacture prohibited magazines, in order to continue to operate their business;
- 105 **agreed** that the exemption in the transitional arrangements that expires in December 2020 for the manufacturing of prohibited magazines not be made permanent in the Act, and that the Act prohibit the manufacture of large capacity magazines over the size allowed for in the Act;
- 106 **agreed** that the exemption in the transitional arrangements that expires in December 2020 for the manufacturing of parts for prohibited firearms, and allowing the use of prohibited firearms for the testing of those parts, be made a permanent exemption;

Ammunition import permit and sales requirements

- 107 **noted** that there is limited recognition in the Act of the risk to public harm that results from the ready access to ammunition and that, as such, ammunition is weakly regulated;
- 108 **agreed** to three changes to the Act to strengthen the ammunition regime:
- 108.1 introduce a requirement to have an import permit to import any quantity of ammunition;
 - 108.2 require a seller of ammunition to hold a current firearms licence, and establish conditions on the licence with record-keeping and unusual behaviour reporting requirements for those who sell ammunition;
 - 108.3 create an offence for possessing ammunition without an appropriate firearms licence;

Imitation blank firing firearms

- 109 **noted** that some imitation firearms that fire blanks are readily convertible to a firearm that shoots projectiles, and that this means they are actually firearms under the Act;
- 110 **noted** that there are no import controls over imitation blank firing firearms, which means there is no means to test them before they are sold legally to people who may not have a firearms licence;
- 111 **agreed** that a permit to import be required for imitation blank firing firearms to enable Police to receive a sample of the firearm prior to import to test it, to determine whether it is readily convertible or not, and therefore a firearm or not;

Firearms Prohibition Order

- 112 **noted** that the Minister of Police has commissioned Police to undertake work on the possible design of a Firearm Prohibition Order regime to restrict serious violent offenders' access to firearms;

- 113 **noted** that the Minister of Police will report to Cabinet by the end of 2019 seeking approval to release a discussion document exploring potential designs and development of a firearms prohibition order regime;

Financial implications

- 114 **noted** that the current costs of administering the Act is \$13.0 million per annum, of which Police recover \$4.1 million through fees, with the remainder funded from within Vote Police baselines;
- 115 **noted** that a high level estimate of implementing all the proposals in the paper under SWC-19-SUB-0063 is between \$43.0 million and \$53.0 million for the period 2019/2020 – 2026/27;
- 116 **noted** that the operating costs of the above proposals is estimated at between \$9.0 million and \$10.9 million in out years;
- 117 **noted** that Police consider that, in principle, the cost of administering the Act, including the proposals outlined above, should be met through cost recovery as far as possible;
- 118 **noted** that funding the costs of administering the Act through cost recovery may lead to fee increases for users of the firearms system;
- 119 **agreed** that the Minister of Police report back to Cabinet at the end of 2019 on the final costs of operating the firearms regulatory regime and on options for cost recovery;
- 120 **noted** that a discussion document on options for cost recovery will be released for public consultation following Cabinet approval at the end of 2019 and after final costs have been determined;
- 121 **noted** that if the proposed cost recovery setting powers are agreed, these will be reflected in fee options;

Publicity and proactive release

- 122 **noted** that the timing of decisions relating to the paper under SWC-19-SUB-0063 also coincide with Cabinet's approval of the regulations to implement the buy-back scheme [LEG-19-SUB-0080], and that during this same week public announcements will be made about details of the buy-back scheme;
- 123 **agreed** that announcements be made about the above proposals once the buy-back scheme is well under way, in mid to late July 2019;
- 124 **noted** that the Minister of Police expects the Bill to be referred to select committee for a three month period, and that there is public interest in providing advance notice of the proposals to enable members of the public to prepare to provide appropriate submissions to the select committee;

Legislative implications

- 125 **agreed** that the Arms (Purpose, Licensing, Registry and Trading) Amendment Bill be added to the 2019 Legislation Programme with a category 2 priority (to be passed in 2019);
- 126 **agreed** that the Act should be binding on the Crown, noting several existing exceptions for government agencies with responsibilities for policing and defence;

- 127 **agreed** that the Minister of Police may share text from drafts of the Amendment Bill with targeted stakeholders and experts (for example, the Firearms Community Advisory Forum) if the Minister considers this would be useful and time allows;
- 128 **agreed** to modernising language where appropriate;
- 129 **invited** the Minister of Police to issue drafting instructions to the Parliamentary Counsel Office to amend the Arms Act 1983 to give effect to the above paragraphs;
- 130 **authorised** the Minister of Police to take decisions on any minor or technical matters that may arise during the drafting process;
- 131 **authorised** the group of Ministers with Power to Act (Prime Minister, Deputy Prime Minister, Minister of Finance, Minister of Justice, Minister of Police and Minister of Defence [CAB-19-MIN-0105]) to take decisions on any substantive matters that may arise during the drafting process.

Janine Harvey
Committee Secretary

Present:

Hon Kelvin Davis
Hon Grant Robertson
Hon Stuart Nash
Hon Jenny Salesa
Hon Tracey Martin (Chair)
Hon Willie Jackson
Hon Aupito William Sio
Jan Logie, MP

Officials present from:

Office of the Prime Minister
Officials Committee for SWC

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Minister of Police