

INFORMATION REQUEST	
Talking points for firearms buy-back oral item	
Deadline: 1000hrs 3 October 2019	Date of Response: 2 October 2019

Purpose

1. You are updating the Social Wellbeing Committee on 16 October 2019 on the progress of the firearms buy-back scheme. This note provides key points to support the discussion. An A3 'Amnesty & Buy-back Performance Summary' is enclosed. An updated copy will be provided to you for tabling at the meeting.

Key points

Background to the buy-back scheme

2. Following the Christchurch mosque attacks on 15 March, the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act prohibited most semi-automatic and other large capacity firearms from use by the general population.
3. It established a temporary amnesty during which compensation may be paid for prohibited firearms, parts and high-capacity magazines. It included a regulation making power for setting out the details of a compensation scheme (the buy-back scheme).
4. Cabinet gave the Prime Minister, the Deputy Prime Minister, the Ministers of Finance, Police, Justice and Defence the Power to Act to make decisions on the development of the buy-back scheme.
5. KPMG was commissioned to develop advice for Ministers on the pricing approach and development of price lists. KPMG consulted with a range of industry specialists including farmers, hunters, dealers, auctioneers, and gun clubs.
6. On 20 June 2019, the Minister of Finance and I announced the buy-back scheme, which runs to 20 December 2019.

Overview of the buy-back scheme

7. The objective of the buy-back and amnesty is to remove these dangerous and now prohibited weapons from our communities. It recognises that licensed firearms owners, since 12 April, were or are in possession of these now illegal items through no fault of their own.

8. To apply for compensation a person must have lawfully possessed a prohibited firearm at the eligibility dates.¹
9. To receive compensation for prohibited firearms, a person is required to have a valid firearms licence. However, as a firearms licence was not required to possess parts and accessories, the person does not need a valid firearms licence to receive compensation for them.
10. The key elements of the scheme include:
- **Compensation for individuals:** compensating people handing in newly prohibited firearms, parts and magazines. Prices reflect the brand, make and model of the prohibited item; its base price; and its condition.²
 - **Compensation for unique prohibited items:** as the price list will not cover every type of firearm, owners of items which are rare or unique, or modified in a way to be much more valuable than the model on the list, may apply for compensation.
 - **Option to permanently modify prohibited firearms:** responds to feedback from the firearms community that they would prefer to keep some firearms for sentimental reasons. Firearm owners who take up this option are eligible for compensation of up to \$300 for the cost of the permanent modification, which must be done through an approved gunsmith.
 - **Compensation for dealers:** aimed at ensuring dealers are compensated for stock at hand, with compensation reflecting the wholesale price (including freight and other proven direct costs associated with stock).
 - **Administrative fee for approved dealers as collection agents:** the \$50 fee per applicant recognises the impact on retailers, based on the estimated cost to Police of this element of the buy-back scheme. This means that dealers are engaged in the process and provide Police with a valuable influence.

Buy back pricing and price list

11. The regulations enabled the price list to be updated as more prohibited items are identified. Firearms owners are encouraged to notify Police of any items they believe should be added to the list.

¹ before 31 March 2019 for MSSA firearms, or 12 April 2019 for items prohibited by the Amendment Act

² Firearms: new or near new condition: 95% of the base price, used condition: 70%, poor condition 25%. Parts or magazines: poor condition: 25% of the base price, any other condition: 70%.

12. Since the initial price list was published on 20 June, there have been four updates to add items.
13. The latest price list, published on 4 September 2019, added 62 firearms (taking the total firearms to 415) and 2 magazines (taking the total parts to 47). Police expects to issue one more version of the price list.

Police is leading the buy-back and amnesty process

14. Every effort has been made to make it as easy and accessible as possible for the public to hand in their items.
15. There are four channels for handing in (or collecting) prohibited firearms, parts and magazines:
 - Local collection points in communities across the country
 - Approved licensed dealers (the dealer channel)
 - Bulk pick-ups for 10 or more firearms and/or 50 parts.
 - At Police stations.
16. Police is now publishing buy-back statistics on its website on a fortnightly basis. Copies of the most recent of is attached as a handout for your colleagues. As of 30 September 2019:
 - 236 local collection events have been held for firearms owners across all 12 Police Districts.
 - Planning is currently underway for collection events for the remainder of the buy-back and amnesty, and Police will continue to publish information on more events around the country.
 - Police has worked with some key stakeholders to hold collection events for their staff or members. So far we have held a total of 15 closed collection points for New Zealand military staff and gun clubs.
 - The total number of firearms handed in is: 26,338. The number of prohibited firearms is 23,844 with 2,490 firearms handed in under amnesty.
 - Of the prohibited firearms collected, 3,412 are MSSA firearms.
 - 16,723 firearms owners have taken part in the buy-back and amnesty to date.
 - 96,279 parts, magazines and accessories have been handed in.

- The total amount of compensation paid to firearms owners is \$49.6 million. (Amount paid out \$46.6m. Amount ready to pay out \$3m).
17. It is not possible to be certain about the number of prohibited firearms in our communities. Every firearm collected by Police through this scheme makes our communities safer.
 18. Feedback from owners has been very positive. Generally people have been engaged with the process, have found the prices fair, and have commented on the professionalism of Police.
 19. An independent survey being carried out by Research First was conducted at a Whangarei and Timaru LCP in early September. Results showed a 92% net positive response when customers were asked about their overall experience at an LCP and 96% net positive response when asked about the process for handing in firearms and items. Another 14 surveys were carried out at events throughout September. Final results are yet to be compiled but this is consistent with feedback Police have received to date.
 20. The dealer channel started on 2 September 2019 with a pilot programme in Tamaki Makaurau. A total of 38 licensed dealers located from Kaitia to Invercargill are now accepting firearms, giving people more options for handing in their firearms. Dealers are operating a booking system, enabling a smooth process for customers.
 21. Firearms owners wishing to modify their prohibited firearm in order to keep it, may apply to do so through a Police approved gunsmith.
 22. Compensation of up to \$300 will be paid for the firearm to be safely and permanently modified to be non-prohibited. On September 23, Police published a list of more than 30 approved gunsmiths, encouraging people to get in touch with their preferred gunsmith as soon as possible. Within the first week, gunsmiths had received 100 firearms to be modified.³
 23. Police is now accepting applications from people who believe their prohibited item is unique or rare, and has approved 19 valuers to assess these applications. A fee of \$138 applies and the item must meet certain criteria.
 24. The Dealer compensation process is underway and a portal is now in place for dealers to load their application, and evidence of the prohibited stock they are seeking compensation for. Around 200 dealers are eligible for compensation for their prohibited stock.

³ Note: Some owners have had modifications carried out prior to this channel being available, at their own cost, and they will not be able to claim compensation.

Challenges

25. Police has seen evidence of a small number of people trying to exploit the system at local collection events.
26. For example, people trying to sell large quantities of magazines that have been newly imported into the country for the purpose of seeking compensation.
27. Police is addressing this operationally, and matters that are assessed as potentially criminal are referred for investigation.
28. Police has also seen evidence of people presenting with commercial quantities of parts and magazines to receive the list price, which is likely to be more than the cost paid. As no licence was previously required to trade in parts and magazines, it appears a number of people were lawfully operating as traders of these items.
29. Police has assessed AR type lower receivers and their status in relation to the Act and considers that AR type lower receivers are prohibited parts. The law currently is not clear that these AR-style lower receivers and compatible upper receivers are intended to be prohibited parts and eligible for compensation. These substantive AR type parts can be used interchangeably and are capable of forming a prohibited firearm with a centre-fire upper receiver.

30. s9(2)(f)(iv)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

31. The paper also sought approval to amend the Arms Act through a Supplementary Order Paper, these amendments will:

- amend the definition of prohibited firearm in the Arms Act, to include firearms with a lower receiver capable of being attached to a centrefire upper receiver and accepting centrefire cartridges. This will further clarify that AR-style lower receivers and compatible upper receivers are prohibited parts, and

- amend the regulation making power to fix a drafting error which means that some types of firearms (such as pump action centrefire rifles) are unable to be prohibited by Order in Council. This will extend the Governor-General's ability to declare any semi-automatic or pump action firearm of a stated description to be a prohibited firearm by Order in Council. This is consistent with the policy intent of the broad enabling power established in section 2A of the Arms Act.

Public awareness/communication

32. Police has engaged with the firearms community to encourage participation in the buy-back right from the beginning. Police has reached out to the firearms community via direct mail (emails and letters), through an advertising campaign, social media, stakeholder newsletters, video blogs and comprehensive information on the Police website.
33. Raising awareness and understanding of why the changes are happening and what impact it has on firearms owners has been a key aspect of communications.
34. Police has met with representatives of firearms associations, gun clubs, the rural community and special interest groups, with industry leaders and government agencies.
35. Police is working with gun clubs to provide opportunities for them and their members to hand in firearms, and talking to influencers and leaders in the community to get this message out.
36. Police has been contacting E endorsement licence holders directly to ensure they have all the information they need to hand in their MSSA firearms. Due to registration of these firearms, Police know how many MSSAs there are (held legally) and aim to ensure that 100 percent of these are accounted for as part of the Amnesty and Buy-Back programme.
37. Having passed the half way point in the amnesty, Police is focusing on how to deal with the likelihood of owners holding on to their firearms until the last moment (i.e. 20 December 2019).
38. Some in the firearms community are encouraging others to delay their handover, either in the hope that the Government will drop, or amend the policy, or to actively make the buy-back difficult. As applications are possible up until 20 December, it is inevitable that processing of applications will go beyond this date.
39. The messaging has now changed to 'now's the time/don't miss out'. And will soon change to make it very clear that when the amnesty closes 'if you are still in possession of an illegal firearm you will not be eligible for buy-back and will not have the protection of amnesty for possession'.

Prepared by	Jeremy Wood, Director Policy & Partnerships	s9(2)(a)
Approved by	Mike Clement, Deputy Commissioner, National Operations	s9(2)(a)

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Amnesty & Buyback Performance Summary

Firearms Dashboard for Public Distribution

As at 30/09/2019

Police Collection Data



16,723

People completed hand-ins



26,338

Firearms collected



96,279

Parts collected



236

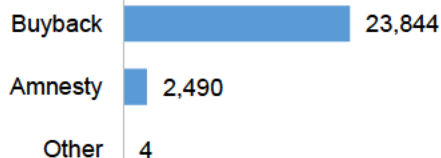
Local collection points



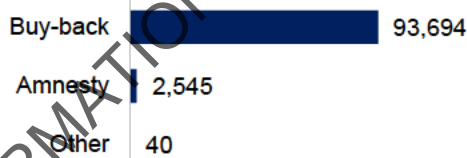
15

Closed local collection points

Firearms collected

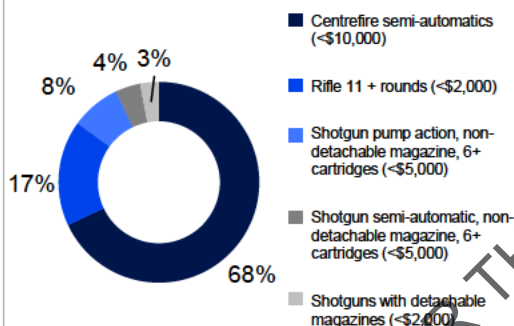


Parts collected

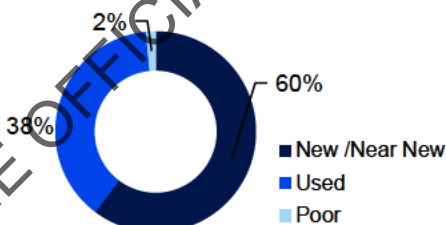


Buyback Firearms by Pricelist Category

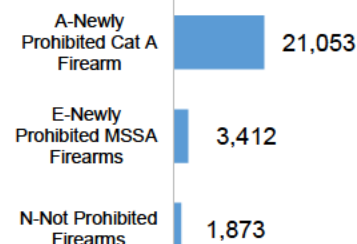
As at 18/09/2019



Buyback Firearms by Condition



Collected Firearms by Category



Payment Data



15,452

People paid



21,825

Firearms paid



85,763

Parts paid

Payment Progress

