Version
as at 23 September 2026

Arms Act 1983

Public Act	1983 No 44
Date of assent	29 November 1983
Commencement	see section 1(2)

Arms Act 1983: repealed, on 23 September 2026, by section 392 of the Arms Act 2026 (2026 No 47).

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Ministry of Justice.

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Title *[Repealed]*

Title: repealed, on 25 June 2020, by section 4 of the Arms Legislation Act 2020 (2020 No 23).

1 Short Title and commencement

(1) This Act may be cited as the Arms Act 1983.

(2) This Act shall come into force on 1 June 1984.

Part 1
Preliminary provisions

Part 1 heading: inserted, on 25 June 2020, by section 5 of the Arms Legislation Act 2020 (2020 No 23).

1A Purposes of this Act

(1) The purposes of this Act are to—

(a) promote the safe possession and use of firearms and other weapons; and

(b) impose controls on the possession and use of firearms and other weapons.

(2) The regulatory regime established by this Act to achieve those purposes reflects the following principles:

(a) that the possession and use of arms is a privilege; and

(b) that persons authorised to import, manufacture, supply, sell, possess, or use arms have a responsibility to act in the interests of personal and public safety.

Section 1A: inserted, on 25 June 2020, by section 5 of the Arms Legislation Act 2020 (2020 No 23).

2 Interpretation

(1) In this Act, unless the context otherwise requires,—

airgun includes—

(a) any air rifle; and

(b) any air pistol; and

(c) any weapon from which, by the use of gas or compressed air (and not by force of explosive), any shot, bullet, missile, or other projectile can be discharged

air pistol carbine conversion kit—

(a) means a frame or kit that may be used to convert an air pistol that is designed or adapted to be held and fired with 1 hand into an airgun that may be fired from the shoulder; but

(b) does not include a pistol carbine conversion kit

ammunition seller—

(a) means a person who is responsible for the day-to-day management of a business that includes selling or supplying ammunition; but

(b) does not include—

(i) a licensed dealer; and

(ii) a member of a shooting club, if the member sells ammunition—

(A) to a club member, or on club premises, with the approval of the management committee of the club or a majority vote of club members; and

(B) the sales revenue is used for the benefit of the club

anti-personnel mine has the meaning given to it by section 3 of the Anti-Personnel Mines Prohibition Act 1998

antique firearm—

(a) means—

(i) any firearm that—

(A) is held in the possession of any person solely as an antique (but not as a copy or replica of an antique); and

(B) is not designed for firing, and is not capable of firing, rimfire or centrefire cartridge ammunition; or

(ii) any firearm declared by regulations made under this Act to be an antique firearm for the purposes of this Act; but

(b) does not include any firearm manufactured after 1899

arms item means an item of any of the following classes:

(a) firearms (including prohibited firearms):

(b) magazines (including prohibited magazines):

(c) parts (including prohibited parts):

(d) airguns:

(e) pistols:

(f) restricted weapons:

(g) pistol carbine conversion kits

blank-firing gun—

(a) means anything that—

(i) has the shape of a firearm or restricted weapon, or otherwise resembles a firearm or restricted weapon; and

(ii) is capable of firing blank cartridges, but incapable of discharging any shot, bullet, missile, or other projectile; and

(b) includes a starting pistol that fires a blank cartridge or a cap

cluster munition has the meaning given to it by section 6 of the Cluster Munitions Prohibition Act 2009

Commissioner means the Commissioner of Police

Customs officer has the meaning given in section 5(1) of the Customs and Excise Act 2018

dealer activity means any activity of a kind specified in section 5(1)

exempt person means a person listed in section 4A(1) or described in section 4A(1A), (1B), or (1C)

explosive—

(a) means any substance or mixture or combination of substances which in its normal state is capable either of decomposition at such rapid rate as to result in an explosion or of producing a pyrotechnic effect; and

(b) without limiting paragraph (a), includes gunpowder, nitroglycerine, dynamite, gun-cotton, blasting powder, fulminate of mercury or of other metals, coloured flares, fog signals, fuses, rockets, percussion caps, detonators, cartridges, and ammunition of all descriptions; and

(c) without limiting paragraph (a) or paragraph (b), includes any device, contrivance, or article, which uses any substance or mixture or combination of substances to which paragraph (a) or paragraph (b) applies as an integral part of it for the purposes of producing an explosion or a ballistic or pyrotechnic effect; but does not include a firearm; and

(d) does not include any firework as defined in section 2 of the Hazardous Substances and New Organisms Act 1996

firearm—

(a) means anything from which any shot, bullet, missile, or other projectile can be discharged by force of explosive; and

(b) includes—

(i) anything that has been adapted so that it can be used to discharge a shot, bullet, missile, or other projectile by force of explosive; and

(ii) anything which is not for the time being capable of discharging any shot, bullet, missile, or other projectile but which, by its completion or the replacement of any component part or parts or the correction or repair of any defect or defects, would be a firearm within the meaning of paragraph (a) or subparagraph (i); and

(iii) anything (being a firearm within the meaning of paragraph (a) or subparagraph (i)) which is for the time being dismantled or partially dismantled; and

(iv) any specially dangerous airgun

firearms licence means a firearms licence issued under section 24

firearms prohibition order or **FPO** means an order made against a person by a court under section 39A

foreign in-flight security officer has the same meaning as in section 5 of the Civil Aviation Act 2023

gang has the meaning given to it by section 4 of the Gangs Act 2024

health practitioner means a health practitioner registered with the Medical Council of New Zealand, a nurse practitioner registered with the Nursing Council of New Zealand, a psychologist registered with the New Zealand Psychologists Board, or a duly authorised officer under the Mental Health (Compulsory Assessment and Treatment) Act 1992

imitation firearm means anything that has the appearance of being a firearm capable of discharging any shot, bullet, missile, or other projectile, whether or not it is capable of discharging any shot, bullet, missile, or other projectile

improvement notice means a notice issued under section 60

in-flight security officer has the same meaning as in section 5 of the Civil Aviation Act 2023

kea gun means a single shot pistol that is chambered for a .410 inch shot cartridge

licensed dealer means a holder of a dealer's licence issued under this Act

manufacture, in relation to an item, includes the assembly of that item

member of the Police means a Police employee within the meaning of section 4 of the Policing Act 2008

non-pistol shooting club has the meaning given in section 38A

non-pistol shooting range has the meaning given in section 38A

non-prohibited ammunition means ammunition that is not prohibited ammunition

non-prohibited firearm means a firearm that is not—

(a) a prohibited firearm; or

(b) a pistol; or

(c) a restricted weapon

non-prohibited magazine means a magazine that is not a prohibited magazine

non-prohibited part means a part that is not a prohibited part

organised criminal group has the meaning given to it by section 98A of the Crimes Act 1961

part, in relation to any firearm or restricted weapon,—

(a) means—

(i) any component that, of itself, is essential to the discharge of any shot, bullet, missile, or other projectile from the firearm or restricted weapon; and

(ii) any component that is exclusively designed to be, or is intended to be, an integral part of the firearm or restricted weapon (for example, a butt, stock, magazine, or other component that feeds or contributes to feeding ammunition to the firearm or restricted weapon); and

(b) includes the following components or accessories that can be fitted to, or adapted to fit, a firearm or restricted weapon:

(i) grips:

(ii) frames:

(iii) chassis systems:

(iv) magazine adapters:

(v) magazine couplers:

(vi) magazine loaders:

(vii) flash suppressors:

(viii) silencers:

(ix) folding or telescoping stocks; but

(c) does not include the following:

(i) pistol carbine conversion kits:

(ii) air pistol carbine conversion kits

pistol means a firearm (other than a prohibited firearm or restricted weapon) that is designed or adapted to be held and fired with 1 hand, and includes any firearm (other than a prohibited firearm or restricted weapon) that is less than 762 millimetres in length

pistol carbine conversion kit—

(a) means a frame or kit that may be used to convert a pistol (not being an air pistol) that is designed or adapted to be held and fired with 1 hand and that has an overall length of no more than 400 millimetres into a firearm that may be fired from the shoulder; and

(b) includes a frame or kit described in paragraph (a) that is also capable of being used as an air pistol carbine conversion kit

pistol shooting club has the meaning given in section 38A

pistol shooting range has the meaning given in section 38A

prohibited ammunition has the meaning given in section 2D

prohibited firearm has the meaning given in section 2A

prohibited item means a prohibited firearm, a prohibited magazine, a prohibited part, or any or all of those things, as the case requires

prohibited magazine has the meaning given in section 2B

prohibited part has the meaning given in section 2C

public place has the meaning given to it by section 2 of the Summary Offences Act 1981

range operator has the meaning given in section 38A

registry means the registry kept and operated under section 93

responsible Minister means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is responsible for the administration of this Act

restricted airgun means an airgun that,—

(a) without any of the attachments with which it is customarily used, has the appearance of being a pistol, prohibited firearm, or restricted weapon; or

(b) with some or all of the attachments with which it is customarily used, has the appearance of being a pistol, prohibited firearm, or restricted weapon; or

(c) is designed for use in airsoft or paintball sports and,—

(i) without any of the attachments with which it is customarily used, has the appearance of being a firearm capable of full automatic fire; or

(ii) with some or all of the attachments with which it is customarily used, has the appearance of being a firearm capable of full automatic fire

restricted weapon means any weapon, whether a firearm or not, declared by the Governor-General, by Order in Council made under section 4, to be a restricted weapon

sale includes—

(a) barter; and

(b) offering or attempting to sell, or having in possession for sale, or exposing for sale, or sending or delivering for sale, or causing or allowing to be sold, offered, or exposed for sale; and **to sell** has a corresponding meaning

semi-automatic firearm means a firearm that (if it is loaded), with each pull of the trigger,—

(a) fires a cartridge and ejects its case; and

(b) (unless all cartridges loaded have been fired) chambers another cartridge

semi-automatic pistol means a firearm that is designed or adapted to be held and fired with 1 hand, including any firearm that is less than 762 millimetres in length and that when loaded, with each pull of the trigger,—

(a) fires a cartridge and ejects the cartridge case; and

(b) automatically loads another cartridge in the firearm's chamber (unless all loaded cartridges have been fired)

senior manager, in relation to a body corporate, means a person who occupies a position that allows the person to exercise significant influence over the management or administration of the body corporate (for example, a chief executive)

shooting club means a pistol shooting club or non-pistol shooting club

shooting range means a pistol shooting range or a non-pistol shooting range

small semi-automatic pistol means a semi-automatic pistol that—

(a) has an overall length of 400 millimetres or less, excluding any silencer, pistol carbine conversion kit, or other muzzle-fitting attachment; and

(b) has a barrel length of 101 millimetres or more; and

(c) is capable of firing specified ammunition only at a muzzle velocity of 1,600 feet per second or less; and

(d) is suitable for shooting on a certified pistol range

specially dangerous airgun means any airgun declared by the Governor-General, by Order in Council made under section 4, to be a specially dangerous airgun

specified ammunition means ammunition of a type specified in the rules of the pistol target shooting disciplines that are administered by the national pistol target shooting controlling body known as Pistol New Zealand Incorporated and that are conducted on ranges approved by the Commissioner

theatrical armourer means a person who holds a firearms licence or dealer's licence that bears a current endorsement under section 30(1)(c) or 30B(3) allowing them to possess, use, or supervise the use of any of the following items in making a broadcast or in theatrical, cinematic, television film, or video recording productions:

(a) firearms:

(b) prohibited magazines:

(c) restricted weapons

visitor means a visitor to New Zealand who intends to be in New Zealand for less than 1 year

working day means any day of the week other than—

(a) a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and

(ab) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and

(b) a day in the period commencing with 25 December in any year and ending with 15 January in the following year.

(2) For the purposes of the definition of **restricted airgun** in subsection (1), an airgun can have the appearance of a pistol, restricted weapon, prohibited firearm, or firearm capable of full automatic fire without having the appearance of any particular model of pistol, restricted weapon, prohibited firearm, or firearm capable of full automatic fire.

Compare: 1958 No 21 s 2; 1966 No 18 s 2; 1968 No 21 s 2(1); 1971 No 46 s 2; 1974 No 68 s 2; 1976 No 151 s 2; SR 1959/5 r 2; SR 1964/32 r 2; SR 1976/143 r 9(2)

Section 2(1) **air pistol carbine conversion kit**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **ammunition seller**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **anti-personnel mine**: inserted, on 9 December 1998, by section 28 of the Anti-Personnel Mines Prohibition Act 1998 (1998 No 111).

Section 2(1) **antique firearm**: replaced, on 25 June 2020, by section 6(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **arms item**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **arms office**: repealed, on 25 June 2020, by section 6(3) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **blank-firing gun**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **cluster munition**: inserted, on 1 August 2010, by section 20(2) of the Cluster Munitions Prohibition Act 2009 (2009 No 68).

Section 2(1) **Customs officer**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **dealer activity**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **exempt person**: inserted, on 12 April 2019, by section 4(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 2(1) **exempt person**: amended, on 25 June 2020, by section 6(4) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **explosive** paragraph (d): substituted, on 2 July 2001, by section 149 of the Hazardous Substances and New Organisms Act 1996 (1996 No 30).

Section 2(1) **firearms prohibition order** or **FPO**: inserted, on 15 November 2022, by section 4 of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

Section 2(1) **foreign in-flight security officer**: inserted, on 23 July 2026, by section 7 of the Civil Aviation Amendment Act 2023 (2023 No 11).

Section 2(1) **gang**: inserted, on 2 March 2025, by section 4 of the Firearms Prohibition Orders Legislation Amendment Act 2024 (2024 No 34).

Section 2(1) **health practitioner**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **improvement notice**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **in-flight security officer**: inserted, on 23 July 2026, by section 7 of the Civil Aviation Amendment Act 2023 (2023 No 11).

Section 2(1) **manufacture**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **member of the Police**: substituted, on 1 October 2008, by section 130(1) of the Policing Act 2008 (2008 No 72).

Section 2(1) **military style semi-automatic firearm**: repealed, on 12 April 2019, by section 4(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 2(1) **non-pistol shooting club**: inserted, on 29 June 2025, by section 4(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 2(1) **non-pistol shooting range**: inserted, on 29 June 2025, by section 4(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 2(1) **non-prohibited ammunition**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **non-prohibited firearm**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **non-prohibited magazine**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **non-prohibited part**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **organised criminal group**: inserted, on 2 March 2025, by section 4 of the Firearms Prohibition Orders Legislation Amendment Act 2024 (2024 No 34).

Section 2(1) **part**: replaced, on 25 June 2020, by section 6(5) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **pistol**: replaced, on 25 June 2020, by section 6(6) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **pistol carbine conversion kit**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **pistol shooting club**: inserted, on 29 June 2025, by section 4(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 2(1) **pistol shooting range**: inserted, on 29 June 2025, by section 4(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 2(1) **prohibited ammunition**: inserted, on 12 April 2019, by section 4(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 2(1) **prohibited firearm**: inserted, on 12 April 2019, by section 4(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 2(1) **prohibited item**: inserted, on 12 April 2019, by section 4(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 2(1) **prohibited magazine**: inserted, on 12 April 2019, by section 4(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 2(1) **prohibited part**: inserted, on 12 April 2019, by section 4(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 2(1) **range operator**: inserted, on 29 June 2025, by section 4(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 2(1) **registry**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **responsible Minister**: inserted, on 29 June 2025, by section 11 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 2(1) **restricted airgun**: inserted, on 11 December 2013, by section 4(1) of the Arms (Military Style Semi-automatic Firearms and Import Controls) Amendment Act 2012 (2012 No 117).

Section 2(1) **restricted airgun** paragraph (a): amended, on 12 April 2019, by section 4(4) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 2(1) **restricted airgun** paragraph (b): amended, on 12 April 2019, by section 4(4) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 2(1) **semi-automatic firearm**: inserted, on 11 December 2013, by section 4(1) of the Arms (Military Style Semi-automatic Firearms and Import Controls) Amendment Act 2012 (2012 No 117).

Section 2(1) **semi-automatic pistol**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **senior manager**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **shooting club**: replaced, on 29 June 2025, by section 4(1) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 2(1) **shooting range**: inserted, on 29 June 2025, by section 4(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 2(1) **small semi-automatic pistol**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **specified ammunition**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **sporting configuration**: repealed, on 11 December 2013, by section 4(1) of the Arms (Military Style Semi-automatic Firearms and Import Controls) Amendment Act 2012 (2012 No 117).

Section 2(1) **theatrical armourer**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **visitor**: inserted, on 25 June 2020, by section 6(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 2(1) **working day**: added, on 1 November 1992, by section 2(3) of the Arms Amendment Act 1992 (1992 No 95).

Section 2(1) **working day** paragraph (a): replaced, on 12 April 2022, by wehenga 7 o Te Ture mō te Hararei Tūmatanui o te Kāhui o Matariki 2022/section 7 of the Te Kāhui o Matariki Public Holiday Act 2022 (2022 No 14).

Section 2(1) **working day** paragraph (ab): inserted, on 1 January 2014, by section 8 of the Holidays (Full Recognition of Waitangi Day and ANZAC Day) Amendment Act 2013 (2013 No 19).

Section 2(2): inserted, on 11 December 2013, by section 4(2) of the Arms (Military Style Semi-automatic Firearms and Import Controls) Amendment Act 2012 (2012 No 117).

Section 2(2): amended, on 12 April 2019, by section 4(5) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

2A Meaning of prohibited firearm

(1) In this Act, unless the context otherwise requires, **prohibited firearm**—

(a) means any of the following firearms:

(i) a semi-automatic firearm, other than—

(A) a specified semi-automatic firearm:

(B) a semi-automatic shotgun with a non-detachable tubular magazine or magazines that are capable of holding no more than 5 cartridges commensurate with that firearm's chamber size:

(C) a small semi-automatic pistol:

(D) a semi-automatic pistol (not being a small semi-automatic pistol) in the possession or under the control of a person referred to in subsection (3):

(ii) a pump-action shotgun that is capable of being used with a detachable magazine:

(iii) a pump-action shotgun that has a non-detachable tubular magazine or magazines that are capable of holding more than 5 cartridges commensurate with that firearm's chamber size:

(iv) a centrefire pump-action rifle that is capable of being used with a detachable magazine:

(v) a centrefire pump-action rifle that has 1 or more non-detachable magazines (tubular or otherwise) that are capable of holding more than 10 cartridges commensurate with that firearm's chamber size; and

(b) includes any other firearm declared by Order in Council made under section 74A to be a prohibited firearm for the purposes of this Act.

(2) In subsection (1)(a)(i)(A), **specified semi-automatic firearm** means a semi-automatic firearm—

(a) that is capable of firing only 0.22 calibre or lower rimfire cartridges; and

(b) that has a magazine, whether or not detachable or otherwise externally fed, that is capable of holding no more than 10 cartridges commensurate with the firearm's chamber size; and

(c) that does not have a lower receiver that is able to be attached to a centre-fire upper receiver so as to result in a firearm that is able to function.

(3) For the purposes of subsection (1)(a)(i)(D), the person is a person who—

(a) has a firearms licence that bears an endorsement made under section 30 permitting the holder to possess the semi-automatic pistol in the capacity referred to in section 29(2)(b), (c), (d), or (e); and

(b) has been issued with a permit to import the pistol (under section 18) or a permit to possess the pistol (under section 35).

Section 2A: replaced, on 25 June 2020, by section 7 of the Arms Legislation Act 2020 (2020 No 23).

2B Meaning of prohibited magazine

In this Act, unless the context otherwise requires, **prohibited magazine**,—

(a) in relation to a shotgun, means a magazine, whether or not detachable, that is capable of holding more than 5 cartridges commensurate with that shotgun's chamber size:

(b) in relation to any other firearm (except a pistol described in section 2A(1)(a)(i)(C) or (D)),—

(i) means any detachable magazine—

(A) that is capable of holding 0.22 calibre or lower rimfire cartridges and that is capable of holding more than 10 of those cartridges:

(B) that is capable of holding more than 10 cartridges and being used with a semi-automatic or fully automatic firearm:

(ii) means any other magazine, whether or not detachable, that is capable of holding more than 10 cartridges:

(c) includes any other magazine declared by Order in Council made under section 74A to be a prohibited magazine for the purposes of this Act.

Section 2B: inserted, on 12 April 2019, by section 5 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 2B(b): amended, on 25 June 2020, by section 8 of the Arms Legislation Act 2020 (2020 No 23).

2C Meaning of prohibited part

In this Act, unless the context otherwise requires, **prohibited part** means—

(a) a part of a prohibited firearm:

(b) a component that can be applied to enable, or take significant steps towards enabling, a firearm to be fired with, or near to, a semi-automatic or automatic action.

Section 2C: inserted, on 12 April 2019, by section 5 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

2D Meaning of prohibited ammunition

In this Act, **prohibited ammunition** means any ammunition declared by the Governor-General by Order in Council made under section 74A to be prohibited ammunition for the purposes of this Act.

Section 2D: inserted, on 12 April 2019, by section 5 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

3 Act to bind the Crown

(1) Subject to subsections (2) and (3), this Act binds the Crown.

(2) Nothing in this Act renders unlawful the carriage or possession of arms items, ammunition, or explosives—

(a) by any person in the course of that person's duties as—

(i) a member of the New Zealand Defence Force or a member of the Cadet Forces; or

(ia) a member of a visiting force under the Visiting Forces Act 2004; or

(ii) a member of the Police or an armourer employed or engaged by the Police; or

(iii) a person employed by the Police to provide firearms training to members of the Police; or

(iv) an officer as defined by section 4 of the Anti-Personnel Mines Prohibition Act 1998; or

(iva) an officer as defined by section 7 of the Cluster Munitions Prohibition Act 2009; or

(v) a person authorised by the Commissioner or the Chief of Defence Force to provide training to members of their respective organisations referred to in this paragraph in the use of any arms item, ammunition, or explosive; or

(va) a civilian employee of the Ministry of Defence, so long as the person carries or possesses any firearms or other items regulated by or under this Act under the direct supervision of a member of the New Zealand Defence Force; or

(vb) a Customs officer; or

(vi) an employee of the body that, immediately before the commencement of the Arms Amendment Act 2000 was known as the Institute of Environmental Science and Research Ltd; or

(vii) a person working in any forensic laboratory or facility that provides forensic services to the Police; or

(viii) an in-flight security officer or a foreign in-flight security officer:

(ab) by a member of the New Zealand Defence Force or a member of the Police in the course of exercising any power or performing any function under the Customs and Excise Act 2018:

(ac) by a member of the New Zealand Defence Force or a constable who is an enforcement officer as defined in section 4(1) of the Maritime Powers Act 2022 in the course of exercising any power or performing any function under that Act:

(b) by any other person authorised pursuant to regulations made under this Act to carry or possess arms items, ammunition, or explosives belonging to the Crown.

(3) Nothing in this Act renders unlawful—

(a) the importation by the Crown of arms items, ammunition, or explosives; or

(aa) the importation or possession by any agent of the Crown of arms items, ammunition, or explosives imported on behalf of the Crown, so long as the importation or possession is within the scope of the agent's written authority; or

(ab) the manufacture by the Crown, or on behalf of the Crown by any agent of the Crown, of any arms items, ammunition, or explosives, so long as any assembly or manufacture by an agent is within the scope of the agent's written authority; or

(b) the sale or supply by the Crown or to the Crown of arms items, ammunition, or explosives.

(4) Nothing in this Act makes unlawful the importation, carriage, or possession of any firearm or other item regulated by or under this Act by any person who is a visiting law enforcement officer from another country and is authorised by the Commissioner to import the firearm or other item into New Zealand or to carry or possess the firearm or other item while in New Zealand.

(5) The following requirements of this Act do not apply in relation to any arms items, ammunition, or explosives, or other items regulated by or under this Act that are owned by the Crown, except to the extent provided by regulations made under section 74:

(a) any requirement to notify or report any event or circumstance to the Police:

(b) any requirement to mark any firearm or other item with an identifying marking:

(c) any requirement to provide any particulars to the Police for inclusion in the registry:

(d) any requirement to record any particulars, whether in the registry or elsewhere.

(6) Except with the leave of the Attorney-General, no prosecution for any of the following offences may be commenced or continued against any constable in respect of any act they commit at a time or during a period when they are acting as an undercover officer:

(a) an offence against section 42A, 42B, 55D, 55E, 55F, or 55G; or

(b) an offence of conspiring to commit an offence against section 42A, 42B, 55D, 55E, 55F, or 55G; or

(c) an offence of attempting to commit an offence against section 42A, 42B, 55D, 55E, 55F, or 55G.

(7) In subsection (6), **undercover officer**—

(a) means a constable whose identity is for the time being concealed for the purpose of a particular investigation of any suspected offence against any of sections 42A, 42B, 55D, 55E, 55F, and 55G; and

(b) includes any other constable who is for the time being directing or assisting that constable in the course of that investigation.

(8) A certificate signed by the Commissioner to the effect that, at any specified time or during any specified period, the constable named in the certificate was acting as an undercover officer is, for the purposes of subsection (6), conclusive evidence of that fact.

Compare: 1958 No 21 s 26; 1974 No 68 s 9

Section 3(2): amended, on 25 June 2020, by section 9(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 3(2)(a): substituted, on 15 November 2000, by section 3 of the Arms Amendment Act 2000 (2000 No 53).

Section 3(2)(a)(ia): inserted, on 1 July 2004, by section 26 of the Visiting Forces Act 2004 (2004 No 59).

Section 3(2)(a)(ii): amended, on 25 June 2020, by section 9(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 3(2)(a)(iva): inserted, on 1 August 2010, by section 20(3) of the Cluster Munitions Prohibition Act 2009 (2009 No 68).

Section 3(2)(a)(v): replaced, on 25 June 2020, by section 9(3) of the Arms Legislation Act 2020 (2020 No 23).

Section 3(2)(a)(va): inserted, on 25 June 2020, by section 9(3) of the Arms Legislation Act 2020 (2020 No 23).

Section 3(2)(a)(vb): inserted, on 25 June 2020, by section 9(3) of the Arms Legislation Act 2020 (2020 No 23).

Section 3(2)(a)(vii): amended, on 23 July 2026, by section 7 of the Civil Aviation Amendment Act 2023 (2023 No 11).

Section 3(2)(a)(viii): inserted, on 23 July 2026, by section 7 of the Civil Aviation Amendment Act 2023 (2023 No 11).

Section 3(2)(ab): inserted, on 1 October 2018, by section 443(3) of the Customs and Excise Act 2018 (2018 No 4).

Section 3(2)(ac): inserted, on 21 May 2022, by section 48 of the Maritime Powers Act 2022 (2022 No 23).

Section 3(2)(b): amended, on 25 June 2020, by section 9(4) of the Arms Legislation Act 2020 (2020 No 23).

Section 3(3)(a): amended, on 25 June 2020, by section 9(5) of the Arms Legislation Act 2020 (2020 No 23).

Section 3(3)(aa): inserted, on 25 June 2020, by section 9(6) of the Arms Legislation Act 2020 (2020 No 23).

Section 3(3)(ab): inserted, on 25 June 2020, by section 9(6) of the Arms Legislation Act 2020 (2020 No 23).

Section 3(3)(b): amended, on 25 June 2020, by section 9(5) of the Arms Legislation Act 2020 (2020 No 23).

Section 3(4): inserted, on 25 June 2020, by section 9(7) of the Arms Legislation Act 2020 (2020 No 23).

Section 3(5): inserted, on 25 June 2020, by section 9(7) of the Arms Legislation Act 2020 (2020 No 23).

Section 3(6): replaced, on 15 November 2022, by section 5(1) of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

Section 3(7): inserted, on 25 June 2020, by section 9(7) of the Arms Legislation Act 2020 (2020 No 23).

Section 3(7)(a): amended, on 15 November 2022, by section 5(2) of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

Section 3(8): inserted, on 25 June 2020, by section 9(7) of the Arms Legislation Act 2020 (2020 No 23).

3A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in Schedule 1 have effect according to their terms.

Section 3A: inserted, on 12 April 2019, by section 7 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

4 Power to declare weapons to be restricted weapons or specially dangerous airguns

(1) For the purposes of this Act, the Governor-General may from time to time, by Order in Council, declare—

(a) any weapon (including an airgun) to be a restricted weapon; or

(b) any airgun to be a specially dangerous airgun.

(2) Any Order in Council made under this section may relate to any weapon or airgun specified by its name or trade name, or to any class of weapons or airguns identified by a description of that class.

(3) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 4(3): replaced, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

4A Persons who may apply to import, manufacture, sell, supply, possess, or use prohibited items

(1) Only the following persons may apply to import, sell, supply, possess, or use a prohibited item in accordance with the provisions of this Act and in their capacity as—

(a) a licensed dealer:

(b) a bona fide collector of firearms:

(c) a person to whom the prohibited item has special significance as an heirloom or a memento:

(d) a director or curator of a bona fide museum:

(e) an approved employee or approved member referred to in section 29(2)(e):

(f) a person who is employed or engaged by the Department of Conservation and involved in operations for the purpose of controlling wild animals or animal pests in accordance with a specified Act (subject to prescribed limits, if any):

(g) a person who is the holder of a concession granted by the Minister of Conservation to undertake wild animal recovery operations in accordance with a specified Act (subject to prescribed limits, if any):

(h) a person who is employed or engaged by a management agency as defined in section 100 of the Biosecurity Act 1993 and involved in operations for the purpose of controlling wild animals or animal pests in accordance with that Act (subject to prescribed limits, if any):

(i) a person whose sole business, or a substantial part of whose business, is providing services to control any prescribed wild animals or animal pests, or a person employed or engaged by that person for that purpose (subject to prescribed limits, if any):

(j) a person who is the owner or manager, or is an employee, of an agricultural, a horticultural, or a silvicultural business, if there is a real possibility that the commercial viability of the business would be detrimentally

affected to a significant extent by the presence of prescribed wild animals or animal pests on any land used for that business (subject to prescribed limits, if any).

(1A) A person who before 12 April 2019 was in the business of manufacturing prohibited parts for the purposes of permitted supply is an exempt person in their capacity as a manufacturing business if the person continues, for the purposes of permitted supply, to manufacture prohibited parts.

(1B) A person who before 12 April 2019 was in the business of permitted supply is an exempt person in their capacity as a permitted supply business if the person continues, for the purposes of carrying out permitted supply, to use prohibited items to test and demonstrate prohibited parts.

(1C) A person employed or engaged by a person referred to in subsection (1A) or (1B) is an exempt person for the purpose of carrying out their duties in accordance with their contract of employment or engagement.

(2) In subsection (1)(f) and (g), **specified Act** means—

(a) the Wildlife Act 1953:

(b) the Wild Animal Control Act 1977:

(c) the Conservation Act 1987:

(d) the Biosecurity Act 1993.

(3) In this section, **permitted supply** means—

(a) the supply of prohibited parts to the Crown that is permitted under section 3(2) or (3):

(b) the export of prohibited parts to any person that is permitted or authorised under the Customs and Excise Act 2018:

(c) the supply of prohibited parts to other persons expressly permitted or authorised under this Act to possess prohibited parts (other than by clause 5 of Schedule 1).

Section 4A: inserted, on 12 April 2019, by section 8 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 4A heading: amended, on 25 June 2020, by section 10(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 4A(1)(a): amended, on 25 June 2020, by section 10(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 4A(1)(j): inserted, on 25 June 2020, by section 10(3) of the Arms Legislation Act 2020 (2020 No 23).

Section 4A(1A): inserted, on 25 June 2020, by section 10(4) of the Arms Legislation Act 2020 (2020 No 23).

Section 4A(1B): inserted, on 25 June 2020, by section 10(4) of the Arms Legislation Act 2020 (2020 No 23).

Section 4A(1C): inserted, on 25 June 2020, by section 10(4) of the Arms Legislation Act 2020 (2020 No 23).

Section 4A(3): inserted, on 25 June 2020, by section 10(5) of the Arms Legislation Act 2020 (2020 No 23).

Part 2
Licensed dealers

Part 2 heading: inserted, on 25 June 2020, by section 11 of the Arms Legislation Act 2020 (2020 No 23).

Licensed dealers

[Repealed]

Heading: repealed, on 25 June 2020, by section 11 of the Arms Legislation Act 2020 (2020 No 23).

5 Dealers to be licensed

(1) A person other than a body corporate must not carry on any of the following activities in relation to a class of arms items without a dealer's licence that authorises the person to carry on the activity in relation to that class of arms items:

(a) the business of selling, hiring, lending, or otherwise supplying a class of arms items:

(b) possessing, for the purposes of an auction, a class of arms items:

(c) the business of repairing or modifying a class of arms items:

(d) displaying, as the director or curator of a bona fide museum, a class of arms items:

(e) the business of manufacturing for sale, hire, lending, or other supply a class of arms items:

(f) manufacturing (for the purposes of permitted supply (as defined in section 4A(3))) prohibited parts and using prohibited items to test and demonstrate those prohibited parts.

(2) A body corporate must not carry on any of the activities specified in subsection (1) in relation to a class of arms items unless a senior manager of the body corporate has a dealer's licence authorising the senior manager to carry on the activities in relation to the class of arms items on behalf of the body corporate.

(3) Despite subsections (1) and (2), a dealer's licence is not required for the following activities:

(a) commercial hunting guide services by a firearms licence holder who during the provision of those services supplies no more than 6 firearms to 1 or more clients:

(b) the selling, hiring, lending, or supplying of firearms by a member of a shooting club, if the member—

(i) sells, hires, lends, or supplies firearms to a club member, or on club premises, with the approval of the management committee of the club or a majority vote of club members; and

(ii) the revenue from the sale, hire, lending, or supply of the firearms is used for the benefit of the club.

(4) A dealer's licence may not be issued for the carrying on of any of the activities specified in subsection (1) in relation to—

(a) anti-personnel mines; or

(b) cluster munitions.

(5) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding $10,000, if the person, without reasonable excuse, contravenes this section.

Section 5: replaced, on 24 June 2021, by section 12 of the Arms Legislation Act 2020 (2020 No 23).

5A Application for dealer's licence

(1) An application for a dealer's licence must—

(a) be made on a form provided by a member of the Police, or in any way approved by a member of the Police; and

(b) specify—

(i) the dealer activities for which the dealer's licence is sought; and

(ii) the class or classes of arms items in respect of which those activities will be carried on; and

(iii) the place of business from which the dealer activities will be carried on; and

(iv) if the dealer intends to operate from 2 or more places of business, the name of the manager of each place of business and the address of each place of business.

(2) An application for a dealer's licence to carry on or manage the dealer activity specified in section 5(1)(e) in relation to the manufacture of any prohibited items may only be made by a person described in section 4A(1A).

(3) An application for a dealer's licence to carry on the dealer activity specified in section 5(1)(f) may only be made by a person described in section 4A(1A).

Section 5A: inserted, on 24 June 2021, by section 12 of the Arms Legislation Act 2020 (2020 No 23).

5B Issue of dealer's licence

(1) A commissioned officer of Police may issue a dealer's licence to an applicant authorising the applicant to carry on 1 or more dealer activities in respect of 1 or more classes of arms items if—

(a) the applicant holds a firearms licence; and

(b) the commissioned officer of Police is satisfied that—

(i) the applicant is a fit and proper person to carry on the dealer activity or activities; and

(ii) in each place of business from which the dealer activity or activities are being carried on there are secure storage facilities appropriate for the class and number of arms items and any ammunition that may be possessed in the course of carrying on the dealer activity or activities.

(2) A dealer's licence that is issued to an applicant for the carrying on of a dealer activity in respect of any of the following classes of arms items must bear an appropriate endorsement made under section 30 or 30B:

(a) prohibited firearms:

(b) prohibited magazines:

(c) pistols:

(d) restricted weapons:

(e) pistol carbine conversion kits.

(3) A dealer's licence is personal to the person to whom it is issued, may not be transferred to any other person, and must specify—

(a) the dealer activity or activities the person may carry on; and

(b) the class or classes of arms items in respect of which that activity or those activities may be carried on.

(4) However, if the person to whom a dealer's licence is issued is a senior manager of a body corporate, the senior manager may, on behalf of the body corporate, carry out the dealer activities specified in the dealer's licence in relation to the class or classes of arms items specified in the dealer's licence.

Section 5B: inserted, on 24 June 2021, by section 12 of the Arms Legislation Act 2020 (2020 No 23).

5C On-site theatrical armourers to supervise firearms use in certain cases

(1) This section applies if a holder of a dealer's licence hires out firearms for use by a bona fide theatre company or society or cinematic or television film production company or video recording production company.

(2) The use of those firearms by members of the company or society must be supervised by an on-site theatrical armourer.

Section 5C: inserted, on 25 June 2020, by section 12 of the Arms Legislation Act 2020 (2020 No 23).

6 Fit and proper person to hold dealer's licence

In deciding whether, for the purposes of section 5B(1)(b)(i), an applicant is a fit and proper person to hold a dealer's licence, the commissioned officer of Police—

(a) must take into account the character and reputation of the applicant, and whether the applicant—

(i) has the competencies and resources to carry on the dealer activity or activities for which the dealer's licence is sought; and

(ii) has any convictions; and

(iii) has a sound knowledge of firearms; and

(iv) understands the legal obligations of a holder of a dealer's licence; and

(v) understands the legal obligations of a holder of a firearms licence, including an understanding of the endorsements that may be made on a firearms licence, and is able to provide advice on those obligations; and

(b) in the case of an applicant who is a senior manager of a body corporate, and who, in reliance on section 5(2), is applying for a dealer's licence to enable the body corporate to carry on a dealer activity, the commissioned officer of Police must take into account whether—

(i) the body corporate has appropriate record-keeping systems and other systems to comply with the requirements of this Act and any regulations made under this Act; and

(ii) if the body corporate operates from 2 or more places of business, there will be, at each of those places, a manager who has appropriate oversight and control of the proposed dealer activity or activities to be carried on at that place; and

(c) may take into account any other matters the commissioned officer of Police considers relevant.

Section 6: replaced, on 24 June 2021, by section 12 of the Arms Legislation Act 2020 (2020 No 23).

6A Conditions of dealer's licence

(1) Every dealer's licence is issued subject to the conditions that any person who is in possession of a pistol, pistol carbine conversion kit, restricted weapon (other than an air pistol), prohibited firearm, or prohibited magazine by virtue of that licence must—

(a) produce that pistol, pistol carbine conversion kit, restricted weapon (other than an air pistol), prohibited firearm, or prohibited magazine to any member of the Police on demand; and

(b) permit the member of the Police to inspect the pistol, pistol carbine conversion kit, restricted weapon (other than an air pistol), prohibited firearm, or prohibited magazine and the place where it is kept, and, for that purpose, to enter at all reasonable times upon the premises where the place is situated.

(2) It is the duty of every member of the Police exercising any power conferred by subsection (1)—

(a) to identify themselves to the person in possession of the pistol, pistol carbine conversion kit, restricted weapon, prohibited firearm, or prohibited magazine; and

(b) to tell the person in possession of the pistol, pistol carbine conversion kit, restricted weapon, prohibited firearm, or prohibited magazine that the power is being exercised under subsection (1); and

(c) if they are not in uniform, to produce on initial entry, and, if requested, at any subsequent time, evidence that they are a member of the Police.

Section 6A: inserted, on 12 April 2019, by section 10 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 6A(1): amended, on 25 June 2020, by section 13(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 6A(1)(a): amended, on 25 June 2020, by section 13(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 6A(1)(b): amended, on 25 June 2020, by section 13(3) of the Arms Legislation Act 2020 (2020 No 23).

Section 6A(2)(a): amended, on 25 June 2020, by section 13(4) of the Arms Legislation Act 2020 (2020 No 23).

Section 6A(2)(b): amended, on 25 June 2020, by section 13(4) of the Arms Legislation Act 2020 (2020 No 23).

6B Special condition of dealer's licence relating to manufacture of firearms, etc

(1) Every dealer's licence issued for the purpose of carrying on a dealer activity relating to the manufacture for sale, hire, lending, or other supply of any of the following classes of items is issued subject to the condition in subsection (2):

(a) pistols:

(b) restricted weapons:

(c) pistol carbine conversion kits:

(d) air pistol carbine conversion kits.

(2) Before manufacturing any class of items referred to in subsection (1), a dealer must—

(a) apply to the Commissioner for approval to manufacture that class of item, stating in the application the number of items intended to be manufactured; and

(b) obtain the Commissioner's written approval for the manufacture of that class of item.

(3) The Commissioner, before approving the manufacture of any class of items specified in subsection (1)(a), (b), or (c), must be satisfied that there are special reasons why the items that are proposed to be manufactured should be in New Zealand.

(4) The Commissioner must, before approving the manufacture of air pistol carbine conversion kits, also be satisfied that the kits are for the personal use of a member of an airsoft or paintball club that is affiliated with a national airsoft or paintball organisation.

Section 6B: inserted, on 24 June 2021, by section 14 of the Arms Legislation Act 2020 (2020 No 23).

6C Breach of conditions to which dealer's licence is subject

A dealer who breaches a condition that their dealer's licence is subject to under section 6A or 6B may—

(a) be issued with an improvement notice under section 60; or

(b) have their dealer's licence temporarily suspended under section 60A (*see* section 60C, which sets out the effect of the temporary suspension of a dealer's licence).

Section 6C: inserted, on 24 June 2021, by section 14 of the Arms Legislation Act 2020 (2020 No 23).

7 Place of business

(1) A dealer's licence may be issued in respect of 1 place of business only, and that place of business must be specified in the licence.

(2) Subsection (1) is subject to subsections (3) to (5).

(3) A dealer may be issued with a dealer's licence authorising the dealer to operate from more than 1 place of business if, at each of those places of business, there is a manager holding a dealer's licence.

(4) Any firearms, prohibited magazines, and restricted weapons in the possession of a dealer may be handled at any site in addition to the place of business specified in the dealer's licence if the dealer hires out those items for use by a broadcaster, bona fide theatre company or society or cinematic or television film production company or video recording production company and—

(a) the handling and secure storage of the items at that site are supervised by a theatrical armourer; and

(b) the armourer has a firearms licence endorsed under section 30(1)(c) or 30B(3) and the endorsement specifies—

(i) that the items may be handled at sites other than the dealer's place of business; and

(ii) that the armourer must hold written consent from a member of the Police that specifies the location of the site and the duration and description of the theatrical production at that site.

(5) A dealer may, on an occasional basis, carry on dealer activities from places additional to the place of business specified in their dealer's licence if a condition to which their licence is subject permits them to do so.

(6) For the purpose of subsection (4)(b), a dealer's licence may be issued with a condition described in that provision and other conditions necessary to provide for the safe use and secure storage of the firearms concerned.

Section 7: replaced, on 25 June 2020, by section 15 of the Arms Legislation Act 2020 (2020 No 23).

7A Gun shows

(1) Notwithstanding anything in section 7, a dealer's licence may, with the consent of a commissioned officer of Police, apply from time to time, for a period not exceeding 5 days at any one time, in respect of a place of business other than the place of business in respect of which the dealer's licence was issued.

(2) A commissioned officer of Police may give his or her consent under subsection (1) only if satisfied—

(a) that the licensed dealer will, during the period in respect of which the consent is sought, use the place of business in respect of which the consent is sought only for the purposes of conducting a gun show; and

(b) that the security of the place of business in respect of which the consent is sought will be sufficient.

(3) Any consent given under subsection (1) may be given subject to any conditions specified by the commissioned officer of Police.

(4) *[Repealed]*

Section 7A: inserted, on 1 November 1992, by section 4 of the Arms Amendment Act 1992 (1992 No 95).

Section 7A(1): amended, on 25 June 2020, by section 16(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 7A(3): replaced, on 25 June 2020, by section 16(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 7A(4): repealed, on 25 June 2020, by section 16(3) of the Arms Legislation Act 2020 (2020 No 23).

8 Duration of dealer's licence

(1) A dealer's licence comes into force on the date it is issued.

(2) A dealer's licence expires 12 months after the date it comes into force unless it is surrendered or revoked earlier.

Section 8: replaced, on 25 June 2020, by section 17 of the Arms Legislation Act 2020 (2020 No 23).

8A Renewal of dealer's licence

(1) A dealer's licence may from time to time be renewed.

(2) An application for renewal of a dealer's licence must be made before the licence expires.

(3) Sections 5A, 5B, and 6 to 8 apply to an application for renewal of a dealer's licence as if the application were an application for a new dealer's licence.

(4) If an application for renewal of a dealer's licence has been made but not determined before the date on which the licence would otherwise expire, the licence continues in force until the application is determined.

(5) The renewal of a dealer's licence takes effect from—

(a) the date on which the licence expires, if the renewal is issued before the licence expires; or

(b) the date on which the renewal is issued, if the renewal is issued after the licence expires.

Section 8A: inserted, on 25 June 2020, by section 17 of the Arms Legislation Act 2020 (2020 No 23).

Section 8A(5): replaced, on 29 November 2022, by section 4 of the Arms (Licence Holders' Applications for New Licences) Amendment Act 2022 (2022 No 69).

8B Surrender of dealer's licence

A dealer may at any time surrender their dealer's licence to a member of the Police.

Section 8B: inserted, on 25 June 2020, by section 17 of the Arms Legislation Act 2020 (2020 No 23).

8C Effect of expiry or surrender of dealer's licence

(1) If a dealer's licence expires or is surrendered,—

(a) the dealer ceases to be licensed to carry on any dealer activity; and

(b) an employee of the dealer may not carry on or assist with the carrying on of any dealer activity on behalf of the dealer; and

(c) the dealer must immediately surrender to a member of the Police all records they are required by section 12 to keep that have not been entered in the registry.

(2) A dealer commits an offence and is liable on conviction to a term of imprisonment not exceeding 6 months, or to a fine not exceeding $10,000, if the dealer, without reasonable excuse, contravenes this section.

Section 8C: inserted, on 25 June 2020, by section 17 of the Arms Legislation Act 2020 (2020 No 23).

9 Revocation of dealer's licence

(1) A dealer's licence is immediately revoked if the holder's firearms licence is revoked.

(2) A dealer's licence may be revoked at any time by the Commissioner.

Section 9: replaced, on 25 June 2020, by section 18 of the Arms Legislation Act 2020 (2020 No 23).

9A Revocation of suspended dealer's licence

(1) A commissioned officer of Police may, by notice in writing to the holder of a dealer's licence that is temporarily suspended under section 60A, revoke the licence if the commissioned officer of Police—

(a) has considered any submissions made by the holder before the day stated in the notice of suspension on whether the licence should be revoked on the ground stated in that notice; and

(b) is satisfied that the licence should be revoked on that ground.

(2) A commissioned officer of Police must give the holder written notice of a decision on whether to revoke a dealer's licence temporarily suspended under section 60A promptly after the decision is made.

Section 9A: inserted, on 25 June 2020, by section 18 of the Arms Legislation Act 2020 (2020 No 23).

9B Effect of revocation of dealer's licence

(1) When a dealer's licence is revoked,—

(a) the dealer ceases to be licensed to carry on any dealer activity and must immediately surrender their dealer's licence to a member of the Police; and

(b) an employee of the dealer may not carry on or assist with the carrying on of any dealer activity on behalf of the dealer; and

(c) the dealer must immediately surrender to a member of the Police all records they are required by section 12 to keep that have not been entered in the registry.

(2) A dealer commits an offence and is liable on conviction to a term of imprisonment not exceeding 6 months, or to a fine not exceeding $10,000, if the dealer, without reasonable excuse, contravenes this section.

Section 9B: inserted, on 25 June 2020, by section 18 of the Arms Legislation Act 2020 (2020 No 23).

10 Restriction on possession of prohibited firearms, prohibited magazines, pistols, restricted weapons, and pistol carbine conversion kits

(1) A licensed dealer may not take an arms item that is a prohibited firearm, prohibited magazine, pistol, restricted weapon, or pistol carbine conversion kit into their possession for the purpose of carrying on a dealer activity unless the licensed dealer—

(a) is the holder of a dealer's licence that—

(i) specifies that the dealer may carry on that activity in respect of a prohibited firearm, prohibited magazine, pistol, restricted weapon, or pistol carbine conversion kit; and

(ii) bears an appropriate endorsement made under section 30 or 30B; and

(b) either—

(i) obtains the arms item under—

(A) a permit to import issued under section 18 or 18AA; or

(B) a permit to possess issued under section 35, 35A, or 35AAA; or

(ii) manufactures it with the written approval of the Commissioner under section 6B(2).

(2) A licensed dealer may not take a prohibited part into their possession for the purpose of carrying on a dealer activity unless the dealer obtains it—

(a) from a holder of a firearms licence that bears an endorsement made under section 30B permitting the holder to possess a prohibited firearm; or

(b) under a permit issued under section 18; or

(c) from another licensed dealer whose dealer's licence bears an endorsement made under section 30B permitting the dealer to possess a prohibited firearm.

(3) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding $10,000, if the person, without reasonable excuse, contravenes subsection (1) or (2).

(4) Subsection (3) is subject to section 59A(1).

Section 10: replaced, on 12 April 2019, by section 11 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 10 heading: replaced, on 25 June 2020, by section 19(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 10(1): replaced, on 25 June 2020, by section 19(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 10(2): replaced, on 25 June 2020, by section 19(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 10(3): replaced, on 25 June 2020, by section 19(3) of the Arms Legislation Act 2020 (2020 No 23).

11 Employees of licensed dealer to hold firearms licence bearing appropriate endorsements

(1) An employee of a licensed dealer must not assist with carrying on any dealer activity unless the employee holds a firearms licence.

(2) If the employee's duties include the carrying on of a dealer activity in respect of pistols, pistol carbine conversion kits, restricted weapons, prohibited firearms, or prohibited magazines, the employee's firearms licence must also bear appropriate endorsements made under section 30 or 30B that authorise the employee to possess any such items in connection with their duties as an employee of the licensed dealer.

(3) A person commits an offence and is liable on conviction to a fine not exceeding $10,000 if the person, without reasonable excuse, contravenes this section.

Section 11: replaced, on 25 June 2020, by section 20 of the Arms Legislation Act 2020 (2020 No 23).

12 Record of dealings by licensed dealers

(1) A licensed dealer must keep at the place of business referred to in their licence a book that records the particulars prescribed by regulations made under this Act relating to—

(a) the transactions conducted in the course of carrying on a dealer activity; and

(b) the arms items and ammunition received, sold, supplied, or manufactured in the course of carrying on their business.

(1A) A licensed dealer who keeps their book under subsection (1) in hard copy form must retain the book for at least 10 years from the date of the last entry in the book.

(1B) A licensed dealer who keeps their book under subsection (1) electronically must retain each electronic record for at least 10 years from the date on which the record is entered.

(2) Every licensed dealer shall at all times—

(a) permit any member of the Police to inspect and make copies of any entries in the book so kept by him pursuant to subsection (1); and

(b) afford, on demand, to any member of the Police all further information in his possession with respect to any dealings by him relating to firearms, airguns, pistols, pistol carbine conversion kits, prohibited items, or restricted weapons; and

(c) permit any member of the Police to inspect—

(i) any firearms, airguns, pistols, pistol carbine conversion kits, prohibited items, or restricted weapons in his possession; and

(ii) the premises in which, and the conditions under which, his stock of firearms, airguns, pistols, pistol carbine conversion kits, prohibited items, or restricted weapons is kept.

(3) Despite subsection (1), a licensed dealer need not record particulars under that subsection if—

(a) the particulars are declared by regulations made under section 74 to be exempt from the requirement in that subsection; or

(b) the dealer provides the particulars to the Police for inclusion in the registry in accordance with the regulations.

(4) A licensed dealer commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding $10,000, if the dealer, without reasonable excuse, contravenes this section.

(5) Subsection (4) is subject to section 59A(2).

Compare: 1958 No 21 s 4; 1968 No 21 s 3

Section 12(1): replaced, on 24 June 2021, by section 21(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 12(1A): inserted, on 24 June 2021, by section 21(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 12(1B): inserted, on 24 June 2021, by section 21(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 12(2)(b): amended, on 24 June 2021, by section 21(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 12(2)(b): amended, on 12 April 2019, by section 13(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 12(2)(c)(i): amended, on 24 June 2021, by section 21(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 12(2)(c)(i): amended, on 12 April 2019, by section 13(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 12(2)(c)(ii): amended, on 24 June 2021, by section 21(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 12(2)(c)(ii): amended, on 12 April 2019, by section 13(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 12(3): replaced, on 24 June 2021, by section 21(3) of the Arms Legislation Act 2020 (2020 No 23).

Section 12(4): replaced, on 24 June 2021, by section 21(3) of the Arms Legislation Act 2020 (2020 No 23).

Section 12(5): inserted, on 24 June 2021, by section 21(3) of the Arms Legislation Act 2020 (2020 No 23).

13 Seizure of items held by licensed dealer

(1) Any member of the Police may, on being authorised to do so by warrant under the hand of the Commissioner, seize and take possession of all or any arms items and ammunition in the possession of or under the control of a licensed dealer.

(2) For the purpose of executing a warrant issued under subsection (1), the member of the Police authorised by that warrant may enter into or upon any land or building in or upon which any such arms items and ammunition may be, and in so doing may use such force as may be necessary.

(3) It is the duty of everyone executing a warrant issued under subsection (1)—

(a) to have it with him; and

(b) to produce it on initial entry and, if requested, at any subsequent time; and

(c) if he is not in uniform, to produce on initial entry and, if requested, at any subsequent time, evidence that he is a member of the Police.

(4) Subject to section 14, all arms items and ammunition seized under this section may be detained by the Police for such period as the Commissioner thinks fit, or may, in the discretion of the Minister of Police, become the property of the Crown, free and discharged from all right, title, estate, or interest possessed in respect thereof by any other person.

(5) The Minister of Finance must pay out of a Crown Bank Account compensation in respect of all arms items and ammunition seized under this section that have become the property of the Crown.

Compare: 1958 No 21 s 5

Section 13 heading: replaced, on 25 June 2020, by section 22(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 13(1): amended, on 25 June 2020, by section 22(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 13(2): amended, on 25 June 2020, by section 22(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 13(4): amended, on 25 June 2020, by section 22(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 13(5): replaced, on 25 June 2020, by section 22(3) of the Arms Legislation Act 2020 (2020 No 23).

14 Disposal of items of dealer if licence expires or is surrendered or revoked

(1) If a dealer's licence has expired or has been surrendered or revoked, the dealer may, within 3 months or any longer period that the Commissioner may allow, sell, or otherwise dispose of, any arms item or ammunition in their possession or under their control at the date of the expiry, surrender, or revocation of their licence.

(2) The sale or disposal of any arms item or ammunition must be to a person approved for the purpose by a commissioned officer of Police.

Section 14: replaced, on 25 June 2020, by section 23 of the Arms Legislation Act 2020 (2020 No 23).

15 Offence to carry on dealer activities following expiry, surrender, or revocation of dealer's licence

(1) If a person's dealer's licence expires or is surrendered or revoked, the person may not—

(a) carry on any dealer activity; or

(b) have any business interest in any arms item or ammunition.

(2) If the person referred to in subsection (1) is a senior manager authorised to carry on dealer activities on behalf of a body corporate, the body corporate may not carry on any dealer activity at any place of business.

(3) However,—

(a) nothing in subsection (1) applies to any person who—

(i) sells or otherwise disposes of any of the kinds of items specified in section 14 in accordance with that section; or

(ii) after the expiry, surrender, or revocation of their dealer's licence is, at any subsequent time, issued with another dealer's licence; and

(b) nothing in subsection (2) applies to a body corporate—

(i) that sells or otherwise disposes of any of the kinds of items specified in section 14 in accordance with that section; or

(ii) if, after the expiry, surrender, or revocation of the senior manager's licence, the senior manager is, at any subsequent time, issued with another dealer's licence on behalf of the body corporate; or

(iii) if another senior manager of the body corporate is issued with a dealer's licence authorising that senior manager to carry on 1 or more dealer activities on behalf of the body corporate.

(4) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 1 year, or to a fine not exceeding $15,000, if the person, without reasonable excuse, contravenes this section.

Section 15: replaced, on 25 June 2020, by section 24 of the Arms Legislation Act 2020 (2020 No 23).

Part 3
Permits to import

Part 3 heading: inserted, on 25 June 2020, by section 25 of the Arms Legislation Act 2020 (2020 No 23).

Importation of firearms and ammunition

[Repealed]

Heading: repealed, on 25 June 2020, by section 25 of the Arms Legislation Act 2020 (2020 No 23).

16 Offence to import firearms, etc, without permit

(1) A person must have a permit to bring or cause to be brought or sent into New Zealand any of the following items:

(a) a firearm (other than a prohibited firearm), pistol, restricted airgun, restricted weapon, or blank-firing gun:

(b) any part of a firearm (other than a prohibited firearm), pistol, restricted weapon, or blank-firing gun:

(c) non-prohibited ammunition (other than projectiles for airguns):

(d) a pistol carbine conversion kit:

(e) an air pistol carbine conversion kit:

(f) a prohibited item:

(g) prohibited ammunition that is authorised or permitted expressly by or pursuant to this Act to be possessed.

(2) In subsection (1), **New Zealand** does not include the harbours and other territorial waters of New Zealand.

(3) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 1 year, or to a fine not exceeding $15,000, if the person, without reasonable excuse, contravenes subsection (1)(a), (b), (c), (d), or (e).

(4) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 5 years if the person, without reasonable excuse, contravenes subsection (1)(f) or (g).

Section 16: replaced, on 25 June 2020, by section 26 of the Arms Legislation Act 2020 (2020 No 23).

16A Offence to import prohibited ammunition

(1) A person must not, without reasonable excuse, bring or cause to be brought or sent into New Zealand any prohibited ammunition that is not authorised or permitted expressly by or pursuant to this Act to be possessed.

(2) In subsection (1), **New Zealand** does not include the harbours and other territorial waters of New Zealand.

(3) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 5 years if the person contravenes subsection (1).

Section 16A: replaced, on 25 June 2020, by section 27 of the Arms Legislation Act 2020 (2020 No 23).

17 Burden of proof

[Repealed]

Section 17: repealed, on 25 June 2020, by section 28 of the Arms Legislation Act 2020 (2020 No 23).

18 Issue of permit to import firearms, etc

(1) A member of the Police to whom an application is made for the issue of a permit to import any item described in section 16(1)(a) to (g) may require the applicant to produce for examination and testing samples of any item of the kind referred to in the application that the member of the Police considers necessary.

(2) A member of the Police, if satisfied of the matters in subsection (3), must grant an application for the issue of a permit to import any of the following items:

(a) a non-prohibited firearm:

(b) a blank-firing gun:

(c) any part of an item described in paragraph (a) or (b):

(d) any non-prohibited ammunition.

(3) The matters referred to in subsection (2) are that—

(a) the applicant is lawfully able to possess the item; and

(b) one of the following applies:

(i) the applicant has complied with any previous requirement to provide a sample of the item for examination and testing and the sample was approved by a member of the Police:

(ii) a sample of the item is not required to be produced for examination and testing:

(iii) if the application is made for the issue of a permit to import a sample of an item, the applicant will—

(A) import no more than 1 sample; and

(B) comply with the requirements in section 18B.

(4) The Commissioner may grant an application for the issue of a permit to import any of the following items:

(a) a prohibited firearm:

(b) a prohibited magazine:

(c) a prohibited part:

(d) a pistol:

(e) a restricted airgun:

(f) a restricted weapon:

(g) any part of a pistol or restricted weapon:

(h) any prohibited ammunition that is authorised or permitted expressly by or pursuant to this Act to be possessed.

(5) The Commissioner may issue a permit under subsection (4) in respect of an item only if—

(a) the Commissioner is satisfied that there are special reasons why the item should be allowed in New Zealand; and

(b) in the case of an application for the issue of a permit under subsection (4)(a), (b), (d), or (f), the application is made by—

(i) the holder of a dealer's licence that bears an endorsement made under section 30 or 30B permitting the dealer to possess the item; or

(ii) the holder of a firearms licence that bears an endorsement made under section 30 or 30B permitting the person to possess the item; and

(c) in the case of an application for the issue of a permit under subsection (4)(h), the applicant—

(i) is a person permitted by regulations made under this Act to possess prohibited ammunition; and

(ii) is the holder of a firearms licence.

(6) If an application for the issue of a permit is made under subsection (4)(c) in relation to a prohibited part that may be used by a licence holder on or with a non-prohibited firearm, the Commissioner—

(a) must be satisfied that the part will only be used by the licence holder with or on a non-prohibited firearm; and

(b) may impose conditions on the permit that enables a member of the Police to verify the use of the part.

(7) A permit issued under this section is personal to the person to whom it is issued and may not be transferred to any other person.

(8) A permit may in no case be issued under this section in respect of an anti-personnel mine or cluster munition.

Section 18: replaced, on 25 June 2020, by section 29 of the Arms Legislation Act 2020 (2020 No 23).

18AA Issue of permit to import pistol carbine conversion kits

(1) A member of the Police to whom an application is made for the issue of a permit to import a pistol carbine conversion kit may require the applicant to produce for examination and testing samples of any pistol carbine conversion kit of the kind referred to in the application that the member of the Police considers necessary.

(2) The Commissioner may grant an application for the issue of a permit to bring or cause to be brought or sent into New Zealand a pistol carbine conversion kit only if—

(a) the Commissioner is satisfied that—

(i) there are special reasons why the pistol carbine conversion kit should be allowed into New Zealand; and

(ii) the pistol carbine conversion kit specifically enables a pistol that has an overall length of no more than 400 millimetres and is capable of firing specified ammunition only at a muzzle velocity of 1,600 feet per second or less to be fired from the shoulder; and

(iii) the pistol carbine conversion kit does not modify the pistol in any way other than as specified in subparagraph (ii); and

(b) the application is made by the holder of a firearms licence—

(i) whose licence bears an endorsement made under section 30 permitting the holder to possess a pistol; and

(ii) who has been issued with a permit to import a pistol (under section 18) or a permit to possess a pistol (under section 35).

(3) However, if an application is made by an applicant in the applicant's capacity referred to in section 29(2)(b), (c), (d), or (e), the Commissioner may grant the application without being satisfied of the matters in subsection (2)(a)(ii) and (iii).

(4) If the applicant has appointed a dealer to import a pistol carbine conversion kit as their agent, the dealer must hold—

(a) a firearms licence; and

(b) a dealer's licence that bears an endorsement made under section 30 permitting the dealer to possess a pistol.

(5) Any permit issued under this section is personal to the person to whom it is issued and may not be transferred to any other person.

Section 18AA: inserted, on 25 June 2020, by section 30 of the Arms Legislation Act 2020 (2020 No 23).

18AAB Issue of permit to import air pistol carbine conversion kits

(1) A member of the Police to whom an application is made for the issue of a permit to import an air pistol carbine conversion kit may require the applicant to produce for examination and testing samples of any air pistol carbine conversion kit of the kind referred to in the application that the member of the Police considers necessary.

(2) The Commissioner may grant an application for the issue of a permit to bring or cause to be brought or sent into New Zealand an air pistol carbine conversion kit only if the Commissioner is satisfied that the application is made by an applicant who intends to personally use the kit as a member of an airsoft or paintball club that is affiliated with a national airsoft or paintball organisation.

(3) Any permit issued under this section is personal to the person to whom it is issued and may not be transferred to any other person.

Section 18AAB: inserted, on 25 June 2020, by section 30 of the Arms Legislation Act 2020 (2020 No 23).

18AAC Revocation and validity of permit to import

(1) A permit issued under section 18, 18AA, or 18AAB may be revoked at any time by a commissioned officer of Police.

(2) A permit issued under section 18 or 18AA is automatically revoked if—

(a) the permit was issued to a licensed dealer and the dealer's licence, or any endorsement on the dealer's licence required for the issue of the permit, is revoked or suspended or has expired or been surrendered; or

(b) the permit was issued to any other person who, for the purposes of the issue of the permit, was required to hold a firearms licence, and that person's firearms licence, or any endorsement on the firearms licence required for the issue of the permit, is revoked or suspended or has expired or been surrendered.

(3) Subsection (4) applies if—

(a) a permit is issued under section 18 or 18AA to a licensed dealer permitting the dealer to import 1 or more items on behalf of a person; and

(b) any person referred to in paragraph (a) who is required to hold a firearms licence, or a firearms licence bearing an endorsement, to possess an item being imported on their behalf—

(i) has their licence or endorsement revoked or suspended; or

(ii) allows their licence or endorsement to expire; or

(iii) surrenders their licence.

(4) If this subsection applies, the permit issued to the licensed dealer is invalid to the extent that it permits the importation of an item on behalf of a person referred to in subsection (3)(b) in respect of which the person required the licence or endorsement.

Section 18AAC: inserted, on 25 June 2020, by section 30 of the Arms Legislation Act 2020 (2020 No 23).

18AAD Permit to import issued for items to be brought or sent into New Zealand in single consignment or multiple consignments

(1) A permit may be issued under section 18, 18AA, or 18AAB only in relation to items that are to be brought or sent into New Zealand—

(a) in a single consignment at the same time; or

(b) in multiple consignments, with a period of not more than 30 days between the arrival of the first and last consignments.

(2) If, after the issue of a permit referred to in subsection (1), any item to which the permit relates is not included in a consignment referred to in subsection (1), the permit ceases to apply in relation to that item.

Section 18AAD: inserted, on 25 June 2020, by section 30 of the Arms Legislation Act 2020 (2020 No 23).

18A Expiry of permits to import

Unless sooner revoked under section 18(4), a permit issued for the purposes of section 16(1) shall expire 12 months after the date on which that permit was issued.

Section 18A: inserted, on 1 November 1992, by section 6 of the Arms Amendment Act 1992 (1992 No 95).

Section 18A heading: replaced, on 12 April 2019, by section 22 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

18B Production of samples

(1) If an applicant is required, under section 18(1), 18AA(1), or 18AAB(1), to produce for examination and testing a sample, the applicant must produce the sample as soon as practicable.

(2) Before producing a sample, an applicant must ensure it has not been modified in any way.

(3) The Crown is not liable to pay compensation in respect of any damage caused to a sample resulting from the examination and testing of the sample.

(4) If, following examination and testing, the sample is not approved, the applicant who produced it must, within 12 months after being informed in writing by a member of the Police that the sample is not approved,—

(a) export the sample from New Zealand; or

(b) cause the sample to be exported from New Zealand.

(5) If the sample is not exported as required by subsection (4), the sample must be disposed of or dealt with in the manner that the Commissioner directs.

Section 18B: replaced, on 25 June 2020, by section 31 of the Arms Legislation Act 2020 (2020 No 23).

18C Export of specified items not corresponding with sample or otherwise approved for importation

(1) This section applies if—

(a) a specified item is brought into New Zealand under a permit issued for the purposes of section 16(1); and

(b) the specified item—

(i) does not correspond with a sample produced to a member of the Police as required by the description of the specified item in the permit; or

(ii) is not otherwise approved for importation into New Zealand.

(2) If this subsection applies, the person who brought the specified item into New Zealand or caused it to be brought or sent into New Zealand must, within 12 months after being informed in writing by a member of the Police that the specified item does not correspond with the sample or is not otherwise approved for importation into New Zealand, export or cause to be exported from New Zealand—

(a) the specified item; and

(b) the sample.

(3) If a specified item or sample to which subsection (2) relates is not exported as required by that subsection, the specified item or sample must be disposed of or dealt with in the manner that the Commissioner directs.

(4) In this section, **specified item** means any firearm, pistol, prohibited item, restricted airgun, restricted weapon, blank-firing gun, pistol carbine conversion kit, air pistol carbine conversion kit, or non-prohibited ammunition.

Section 18C: inserted, on 25 June 2020, by section 31 of the Arms Legislation Act 2020 (2020 No 23).

19 Seizure of illegally imported items

(1) Subsection (2) applies if a member of the Police or a Customs officer suspects on reasonable grounds that an item referred to in section 16—

(a) has been brought into New Zealand without a permit issued under section 18, 18AA, or 18AAB; or

(b) has been brought into the harbours or other territorial waters of New Zealand and is intended to be brought into New Zealand without a permit issued under section 18, 18AA, or 18AAB.

(2) If this subsection applies, the member of the Police or the Customs officer may—

(a) seize and detain the item; and

(b) use any reasonable necessary force to seize the item.

(3) If an item is seized and detained under subsection (2), sections 65 and 70 apply, with all necessary modifications, in respect of that item.

Section 19: replaced, on 25 June 2020, by section 32 of the Arms Legislation Act 2020 (2020 No 23).

Part 4
General restrictions

Part 4 heading: inserted, on 25 June 2020, by section 33 of the Arms Legislation Act 2020 (2020 No 23).

General restrictions on possession of firearms, airguns, magazines, parts, and ammunition

Heading: inserted, on 25 June 2020, by section 33 of the Arms Legislation Act 2020 (2020 No 23).

19A Restriction on possession of prohibited firearms and prohibited magazines

(1) No person may have in their possession a prohibited firearm or prohibited magazine unless the person is—

(a) the holder of a dealer's licence that bears an endorsement made under section 30B and who obtains the prohibited firearm or prohibited magazine in any of the ways specified in section 10(1)(b); or

(b) the holder of a firearms licence that bears an endorsement that—

(i) is made under section 30B permitting the holder to possess a prohibited firearm or prohibited magazine; and

(ii) is made specific to the prohibited firearm or prohibited magazine by—

(A) a permit to import issued under section 18; or

(B) a permit to possess issued under section 35A.

(2) This section does not apply to an employee of a licensed dealer when—

(a) acting in their capacity as an employee; and

(b) assisting with the carrying on of a dealer activity (if they are qualified under section 11 to do so).

(3) A person who contravenes this section commits an offence under section 50A or 50B (as the case may be).

Section 19A: inserted, on 25 June 2020, by section 33 of the Arms Legislation Act 2020 (2020 No 23).

19B Restriction on possession of prohibited parts

(1) No person may have in their possession a prohibited part unless the person—

(a) is an exempt person of or over the age of 18 years; and

(b) either—

(i) is the holder of a dealer's licence that bears an endorsement made under section 30B permitting the holder to possess a prohibited firearm or prohibited magazine and the holder has obtained the prohibited part in any of the ways specified in section 10(2); or

(ii) is the holder of a firearms licence that bears an endorsement made under section 30B that permits the holder to possess a prohibited firearm.

(2) This section does not apply to an employee of a licensed dealer when—

(a) acting in their capacity as an employee; and

(b) assisting with the carrying on of a dealer activity (if they are qualified under section 11 to do so).

(3) A person who contravenes this section commits an offence under section 50C.

Section 19B: inserted, on 25 June 2020, by section 33 of the Arms Legislation Act 2020 (2020 No 23).

19C Restriction on possession of pistols and restricted weapons

(1) No person may have in their possession a pistol or restricted weapon unless the person is—

(a) the holder of a dealer's licence that bears an endorsement that—

(i) is made under section 30 permitting the holder to possess a pistol or restricted weapon; and

(ii) is made specific to the pistol or restricted weapon by—

(A) a permit to import issued under section 18; or

(B) a permit to possess issued under section 35; or

(b) the holder of a firearms licence that bears an endorsement that—

(i) is made under section 30 permitting the holder to possess a pistol or restricted weapon; and

(ii) is made specific to the pistol or restricted weapon by—

(A) a permit to import issued under section 18; or

(B) a permit to possess issued under section 35.

(2) This section does not apply to an employee of a licensed dealer when—

(a) acting in their capacity as an employee; and

(b) assisting with the carrying on of a dealer activity (if they are qualified under section 11 to do so).

(3) A person who contravenes this section commits an offence under section 50.

Section 19C: inserted, on 25 June 2020, by section 33 of the Arms Legislation Act 2020 (2020 No 23).

General restrictions on possession of firearms and airguns

[Repealed]

Heading: repealed, on 25 June 2020, by section 34 of the Arms Legislation Act 2020 (2020 No 23).

20 Restriction on possession of non-prohibited firearms

(1) Except as provided in this Act or as otherwise provided in regulations made under this Act, no person shall have a non-prohibited firearm in his possession unless he is of or over the age of 16 years and is the holder of a firearms licence.

(2) The holding of a firearms licence shall not in itself entitle any person to have a pistol or restricted weapon in that person's possession.

(3) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 1 year, or to a fine not exceeding $15,000, if the person, without reasonable excuse, contravenes subsection (1).

Section 20 heading: replaced, on 25 June 2020, by section 35(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 20(1): amended, on 25 June 2020, by section 35(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 20(2): substituted, on 1 May 1993, by section 7 of the Arms Amendment Act 1992 (1992 No 95).

Section 20(2): amended, on 25 June 2020, by section 35(3) of the Arms Legislation Act 2020 (2020 No 23).

Section 20(2): amended, on 12 April 2019, by section 25 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 20(3): replaced, on 25 June 2020, by section 35(4) of the Arms Legislation Act 2020 (2020 No 23).

21 Restrictions on possession of airguns

(1) Except as otherwise provided in this Act or as otherwise provided in regulations made under this Act, no person shall have an airgun in his possession unless—

(a) he is of or over the age of 18 years; or

(b) he is between 16 years and 18 years of age and is the holder of a firearms licence.

(2) A person commits an offence and is liable on conviction to a fine not exceeding $1,000 if the person, without reasonable excuse, contravenes subsection (1).

(3) Nothing in this section applies in relation to the possession of specially dangerous airguns.

Section 21(2): replaced, on 25 June 2020, by section 36 of the Arms Legislation Act 2020 (2020 No 23).

22 Exemptions

(1) Nothing in section 20 or section 21 makes it an offence for any person to be in possession of—

(a) any firearm of the kind known as:

(i) a bolt gun or a stud gun:

(ii) a humane killer:

(iii) a tranquilliser gun:

(iv) a stock marking pistol:

(v) an underwater spear gun:

(vi) a flare pistol:

(vii) a deer net gun:

(viii) a pistol that is part of rocket or line throwing equipment:

(ix) a miniature cannon; or

(b) any antique firearm; or

(c) any other make, type, or manufacture of firearm exempted from the provisions of section 20 or section 21 by regulations made under this Act.

(2) It is a good defence to a prosecution for an offence against section 20 or section 21 if the defendant proves,—

(a) in the case of a prosecution relating to the possession of a firearm (not being a pistol, prohibited firearm, or restricted weapon) by any person,—

(i) that the firearm was in the possession of that person for use under the immediate supervision of the holder of a firearms licence; and

(ii) that at all times while that person was in possession of the firearm, that person was under the immediate supervision of the holder of a firearms licence; or

(b) in the case of a prosecution relating to the possession of an airgun (not being a specially dangerous airgun),—

(i) that the airgun was in the possession of that person for use under the immediate supervision of either a person of or over the age of 18 years or the holder of a firearms licence; and

(ii) that at all times while that person was in possession of the airgun, that person was under the immediate supervision of either a person of or over the age of 18 years or the holder of a firearms licence.

Section 22(2)(a): amended, on 12 April 2019, by section 26 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

22A Restriction on possession of non-prohibited magazines and non-prohibited parts

(1) A person must not have in their possession an arms item specified in subsection (2) unless the person—

(a) is the holder of a firearms licence; or

(b) is under the immediate supervision of a person who is the holder of a firearms licence.

(2) The arms items referred to in subsection (1) are—

(a) a non-prohibited magazine:

(b) a non-prohibited part.

(3) A person commits an offence and is liable on conviction to a fine not exceeding $10,000 if the person, without reasonable excuse, contravenes this section.

Section 22A: inserted, on 24 December 2020, by section 37 of the Arms Legislation Act 2020 (2020 No 23).

22B Restriction on possession of ammunition

(1) A person must not have in their possession any ammunition (other than projectiles for airguns) unless the person—

(a) is the holder of a firearms licence; or

(b) is not the holder of a firearms licence, but is under the immediate supervision of a person who is the holder of a firearms licence; or

(c) is an employee of an ammunition seller who is performing their duties at their place of work under the supervision of a person who is the holder of a firearms licence.

(2) A person commits an offence and is liable on conviction to a fine not exceeding $10,000 if the person, without reasonable excuse, contravenes subsection (1).

Section 22B: inserted, on 24 December 2020, by section 37 of the Arms Legislation Act 2020 (2020 No 23).

Restrictions on possession of pistol carbine conversion kits

Heading: inserted, on 25 June 2020, by section 37 of the Arms Legislation Act 2020 (2020 No 23).

22C Restrictions on possession of pistol carbine conversion kits

(1) A person must not have in their possession a pistol carbine conversion kit unless the person is—

(a) the holder of a dealer's licence that bears an endorsement made under section 30 permitting the holder to possess a pistol and has been issued with—

(i) a permit to import issued under section 18AA; or

(ii) a permit to possess issued under section 35AAA; or

(b) the holder of a firearms licence—

(i) whose licence bears an endorsement made under section 30 permitting the holder to possess a pistol; and

(ii) who has been issued with—

(A) a permit, under section 18, to import a pistol; or

(B) a permit, under section 35, to possess a pistol; and

(iii) who has been issued with—

(A) a permit, under section 18AA, to import a pistol carbine conversion kit; or

(B) a permit, under section 35AAA, to possess a pistol carbine conversion kit.

(2) This section does not apply to an employee of a licensed dealer when—

(a) acting in their capacity as an employee; and

(b) assisting with the carrying on of a dealer activity (if they are qualified under section 11 to do so).

(3) A person who contravenes this section commits an offence under section 50AA.

Section 22C: inserted, on 25 June 2020, by section 37 of the Arms Legislation Act 2020 (2020 No 23).

Restrictions on sale or supply of ammunition

Heading: inserted, on 24 December 2020, by section 37 of the Arms Legislation Act 2020 (2020 No 23).

22D Restrictions on selling or supplying ammunition

(1) A person who sells or supplies ammunition (other than projectiles for airguns) must hold a firearms licence.

(2) A person may only sell or supply ammunition (other than projectiles for airguns) to a person who holds a firearms licence.

(3) Subsection (1) does not apply to an employee of an ammunition seller performing their duties under the supervision of a person who is the holder of a firearms licence.

(4) A person commits an offence and is liable on conviction to a fine not exceeding $10,000 if the person, without reasonable excuse, contravenes subsection (1) or (2).

(5) It is a defence to a prosecution for an offence against subsection (2) if—

(a) the defendant proves that the defendant took reasonable steps to ascertain whether the person to whom the defendant sold or supplied the ammunition (**A**) was the holder of a firearms licence; or

(b) the defendant proves that—

(i) the ammunition was sold or supplied to A for use under the immediate supervision of another person who holds a firearms licence (**B**); and

(ii) at all times while A was in possession of the ammunition, A was under the immediate supervision of B.

(6) Nothing in subsection (3) applies in relation to any ammunition sold or supplied for a firearm of the kind described in section 22(1)(a), (b), or (c).

Section 22D: inserted, on 24 December 2020, by section 37 of the Arms Legislation Act 2020 (2020 No 23).

22E Ammunition seller to keep record of ammunition sales

(1) An ammunition seller must keep at their place of business a book that records the following details in respect of all ammunition (other than projectiles for airguns) sold or supplied in the course of their business:

(a) the name of the person to whom the ammunition was sold or supplied; and

(b) the quantity and type of ammunition sold or supplied to the person; and

(c) the person's firearms licence number, or, if the ammunition was sold or supplied to the person for use under the immediate supervision of another person who holds a firearms licence, the name and firearms licence number of that other person.

(2) Despite subsection (1), an ammunition seller need not record details under that subsection if—

(a) the details are declared by regulations made under section 74 to be exempt from the requirement in that subsection; or

(b) the dealer provides the details to the Police for inclusion in the registry in accordance with the regulations.

(3) An ammunition seller must, at all reasonable times, permit any member of the Police to inspect and make copies of any entries in the book referred to in subsection (1) if the ammunition seller has received at least 7 days' prior notice of the member's intention to do so.

(4) An ammunition seller who keeps their book under subsection (1) in hard copy form must retain the book for at least 10 years from the date of the last entry in the book.

(5) An ammunition seller who keeps their book under subsection (1) electronically must retain each electronic record for at least 10 years from the date on which the record is entered.

(6) When an ammunition seller's firearms licence expires or is revoked or surrendered, or the ammunition seller ceases selling or supplying ammunition, the ammunition seller must immediately surrender to the Police all records they are required by this section to keep that have not been included in the registry.

(7) An ammunition seller commits an offence and is liable on conviction to a fine not exceeding $10,000 if the ammunition seller, without reasonable excuse, contravenes any of subsections (1) to (6).

Section 22E: inserted, on 24 December 2020, by section 37 of the Arms Legislation Act 2020 (2020 No 23).

Restriction on ownership of firearms and restricted weapons by visitors

Heading: inserted, on 25 June 2020, by section 37 of the Arms Legislation Act 2020 (2020 No 23).

22F Visitors may not take ownership of firearm or restricted weapon

(1) A visitor who holds a firearms licence may not, during their stay in New Zealand, acquire ownership of any firearm or restricted weapon for possession in New Zealand.

(2) If a person contravenes subsection (1), that person's firearms licence is immediately revoked.

Section 22F: inserted, on 25 June 2020, by section 37 of the Arms Legislation Act 2020 (2020 No 23).

Restriction on manufacture of prohibited items

Heading: inserted, on 25 June 2020, by section 37 of the Arms Legislation Act 2020 (2020 No 23).

22G Restriction on manufacture of prohibited items

(1) No person may manufacture a prohibited item.

(2) Subsection (1) does not apply to an exempt person described in section 4A(1A).

(3) A person who contravenes this section commits an offence under section 50A, 50B, or 50C (as the case may be).

Section 22G: inserted, on 25 June 2020, by section 37 of the Arms Legislation Act 2020 (2020 No 23).

22H Persons disqualified from holding firearms licence

A person is disqualified from holding a firearms licence if—

(a) the person has, within the previous 10 years, been convicted, or been released from custody after being convicted, of any of the following offences:

(i) an offence under section 16(4), 16A, 44A, 50A, 50D, 51A, 53A, 54, 54A, 55, 55A, 55D, 55E, or 55F:

(ii) a specified violent offence as defined in section 4 of the Victims' Orders Against Violent Offenders Act 2014:

(iii) an offence under section 92, 98, 98A, 189A, 199, 202C, 216Q, 238, 267(1), 269(1) and (3), 306, or 308A of the Crimes Act 1961:

(iv) an offence under section 6, 9, 10, 11, 12, 12A, 12AB, or 12F of the Misuse of Drugs Act 1975; or

(b) the person has, or has had within the previous 10 years, a protection order, other than a temporary order, made against them under—

(i) section 79 of the Family Violence Act 2018; or

(ii) section 14 of the Domestic Violence Act 1995; or

(c) the person is subject to a firearms prohibition order.

Section 22H: inserted, on 24 December 2020, by section 39 of the Arms Legislation Act 2020 (2020 No 23).

Section 22H(a)(ii): replaced, on 16 August 2022, by section 12 of the Three Strikes Legislation Repeal Act 2022 (2022 No 40).

Section 22H(a)(iii): amended, on 26 May 2026, by section 6 of the Crimes Legislation (Stalking and Harassment) Amendment Act 2025 (2025 No 72).

Section 22H(a)(iii): amended, on 5 April 2023, by section 7 of the Criminal Activity Intervention Legislation Act 2023 (2023 No 7).

Section 22H(c): inserted, on 15 November 2022, by section 6 of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

Part 5
Firearms licences, endorsements, and permits to possess

Part 5 heading: inserted, on 24 December 2020, by section 38 of the Arms Legislation Act 2020 (2020 No 23).

Firearms licences

Heading: replaced, on 24 December 2020, by section 38 of the Arms Legislation Act 2020 (2020 No 23).

23 Application for firearms licence

(1) A person may apply to a member of the Police for a firearms licence if the person—

(a) is of or over the age of 16 years; and

(b) has not had a firearms licence revoked in the previous 5 years (or, if they have, the revocation was reversed by the District Court); and

(c) is not disqualified under section 22H from holding a firearms licence.

(2) Every application under subsection (1) shall be made on a form provided by a member of the Police.

(2A) An applicant must, at the time of making an application for a firearms licence, provide to a member of the Police the name and contact details of their health practitioner.

(2B) Subsection (2A) does not apply to an applicant who is a visitor.

(3) A person who is the holder of a firearms licence may, before the expiration of that firearms licence, apply for a new firearms licence.

Section 23(1): replaced, on 24 December 2020, by section 40(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 23(2A): inserted, on 24 December 2020, by section 40(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 23(2B): inserted, on 24 December 2020, by section 40(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 23(3): added, on 1 November 1992, by section 8 of the Arms Amendment Act 1992 (1992 No 95).

24 Issue of firearms licence

(1) Subject to subsection (2), a firearms licence must be issued by a member of the Police to an applicant if the member of the Police is satisfied that—

(a) the applicant—

(i) is of or over the age of 16 years; and

(ii) is a fit and proper person to be in possession of a firearm or an airgun; and

(b) either—

(i) the applicant's storage facilities for their firearms and ammunition have been inspected by a member of the Police and are compliant with the requirements for the secure storage of firearms and ammunition; or

(ii) if the applicant is a visitor, a member of the Police is satisfied with the arrangements made by the applicant for the storage of the firearms and ammunition they will possess while in New Zealand.

(2) A firearms licence must not be issued to an applicant if, in the opinion of a commissioned officer of Police, access to any firearm or an airgun in possession of the applicant is reasonably likely to be obtained by any person who—

(a) is disqualified from holding a firearms licence; or

(b) has had their firearms licence revoked on the ground that they are not a fit and proper person to be in possession of a firearm or an airgun; or

(c) is not a fit and proper person to be in possession of a firearm or an airgun.

(3) As soon as is reasonably practicable after issuing a firearms licence to a person, a member of the Police must notify the person's health practitioner that a firearms licence has been issued to the person.

(4) Subsection (3) does not apply to an applicant who is a visitor.

Section 24: replaced, on 24 December 2020, by section 41 of the Arms Legislation Act 2020 (2020 No 23).

24A Fit and proper person to possess firearm or airgun

(1) For the purposes of this Act, a member of the Police may find a person is not a fit and proper person to be in possession of a firearm or an airgun if the mem-

ber of the Police is satisfied that 1 or more of the following circumstances exist:

(a) the person is charged with or has been convicted of an offence in New Zealand or overseas that is punishable by a term of imprisonment (including, but not limited to, an offence involving violence, drugs, or alcohol):

(b) the person is charged with or has been convicted of an offence under this Act:

(c) the person is charged with or has been convicted of an offence against—

(i) section 231A of the Crimes Act 1961; or

(ii) the Game Animal Council Act 2013; or

(iii) the Wildlife Act 1953; or

(iv) the Wild Animal Control Act 1977:

(ca) the person has, or has had at any time, a firearms prohibition order made against them:

(d) the person has, or has had at any time, a temporary protection order made against them under—

(i) section 79 of the Family Violence Act 2018; or

(ii) section 14 of the Domestic Violence Act 1995:

(e) the person has inflicted, or is inflicting, family violence against another person and that other person has grounds under the Family Violence Act 2018 to apply for a protection order in respect of that violence:

(f) the person has, or has had at any time, a restraining order made against them under the Harassment Act 1997:

(g) the person has engaged in any conduct involving non-compliance with any requirements of—

(i) this Act; or

(ii) any regulations made under this Act; or

(iii) any conditions to which a permit, licence, or endorsement previously issued to the person under this Act was subject:

(h) the person shows, or has recently shown, symptoms of a mental or physical illness or injury that may adversely affect their ability to safely possess firearms:

(i) the person abuses alcohol, or is dependent on alcohol, to an extent that affects detrimentally their judgement or behaviour:

(j) the person uses drugs (illegal or legal) in a way that affects detrimentally their judgement or behaviour:

(k) the person is a member of, or has close affiliations with, a gang or an organised criminal group:

(l) the person has shown patterns of behaviour demonstrating a tendency to exhibit, encourage, or promote violence, hatred, or extremism:

(m) the person has been assessed as a risk to a State's national security:

(n) the person satisfies any criteria prescribed in regulations made under section 74(1)(bb).

(2) In determining whether, for the purposes of this Act, a person is a fit and proper person to be in possession of a firearm or an airgun, the member of the Police may take into account—

(a) whether the applicant—

(i) has a sound knowledge of the safe possession and use of firearms:

(ii) understands the legal obligations of a holder of a firearms licence, including the endorsements that may be made on a firearms licence; and

(b) any other criteria prescribed in regulations made under section 74(1)(bc); and

(c) any other relevant matters the member of the Police considers appropriate.

(3) The member of the Police may, for the purpose of determining whether a person is a fit and proper person to be in possession of a firearm or an airgun,—

(a) seek and receive any information that the member of the Police thinks appropriate; and

(b) consider information obtained from any source.

(4) If the member of the Police proposes to take into account any information that is or may be prejudicial to an applicant's application, the member of the Police must, subject to subsection (5), disclose that information to the applicant and give the applicant a reasonable opportunity to refute or comment on it.

(5) Nothing in subsection (4) requires the member of the Police to disclose any information to an applicant if that disclosure would be likely to—

(a) endanger the safety of any person; or

(b) prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand; or

(c) prejudice the entrusting of information to the Police, the New Zealand Security Intelligence Service, or the Government Communications Security Bureau on a basis of confidence by—

(i) the government of any other country; or

(ii) any international organisation.

(6) In this section,—

family violence has the meaning given in section 9 of the Family Violence Act 2018.

Section 24A: inserted, on 24 December 2020, by section 42 of the Arms Legislation Act 2020 (2020 No 23).

Section 24A(1)(ca): inserted, on 15 November 2022, by section 7 of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

Section 24A(6) **gang**: repealed, on 2 March 2025, by section 5(a) of the Firearms Prohibition Orders Legislation Amendment Act 2024 (2024 No 34).

Section 24A(6) **organised criminal group**: repealed, on 2 March 2025, by section 5(b) of the Firearms Prohibition Orders Legislation Amendment Act 2024 (2024 No 34).

24B General conditions of firearms licence

(1) Every firearms licence is subject to the conditions that the holder of a firearms licence must,—

(a) when using a firearm, act in a way that does not pose a risk to themselves or others; and

(b) produce any firearm that the licence holder is carrying to a member of the Police on demand; and

(c) permit a member of the Police to inspect all firearms in the licence holder's possession, the place or places where the firearms are or will be kept, and the place or places where the ammunition is or will be kept, and, for those purposes, to enter at all reasonable times upon the premises where that place or those places are situated; and

(d) permit a member of the Police to inspect the security arrangements in any vehicle used by the holder to transport the licence holder's firearms; and

(e) inform a member of the Police if, after the issue of the licence, any of the circumstances described in section 24A(1) apply to the licence holder; and

(f) inform a member of the Police if their health practitioner changes, and provide updated details of the name and contact details of their health practitioner.

(2) Subsection (1)(f) does not apply to a holder of a firearms licence who is a visitor.

(3) It is the duty of every member of the Police exercising any power conferred by subsection (1)(c) or (d)—

(a) to give at least 7 days' notice of the proposed inspection under subsection (1)(c) or (d); and

(b) to identify themselves to the holder of the firearms licence; and

(c) to tell the holder of the firearms licence that the power is being exercised under subsection (1)(c) or (d), as the case may be; and

(d) if they are not in uniform, to produce on initial entry, and, if requested, at any subsequent time, evidence that they are a member of the Police.

(4) Subsections (1)(c) and (3) are subject to section 31A if the licence bears an endorsement made under section 30 or 30B.

Section 24B: inserted, on 24 December 2020, by section 42 of the Arms Legislation Act 2020 (2020 No 23).

24C Special condition of firearms licence relating to sale or supply of ammunition

A firearms licence held by an ammunition seller is subject to the condition that the ammunition seller has appropriate facilities to ensure the secure storage of all ammunition that, at any time, they possess.

Section 24C: inserted, on 24 December 2020, by section 42 of the Arms Legislation Act 2020 (2020 No 23).

24D Breach of conditions to which firearms licence is subject

A holder of a firearms licence who breaches a condition that their firearms licence is subject to under section 24B or 24C may—

(a) be issued with an improvement notice under section 60; or

(b) have their firearms licence temporarily suspended under section 60A (*see* section 60B, which sets out the effect of the temporary suspension of a firearms licence).

Section 24D: inserted, on 24 December 2020, by section 42 of the Arms Legislation Act 2020 (2020 No 23).

25 Duration of firearms licence

(1) A firearms licence comes into force on the date specified in the licence and, unless revoked or surrendered earlier,—

(a) expires 5 years from that date in the case of—

(i) a licence issued to a person who has never previously held a firearms licence; or

(ii) a licence issued to a person whose previous licence was revoked or surrendered; or

(iii) a licence issued to a person who allowed their previous licence to expire without applying for a new licence before the expiry date:

(b) expires 10 years from that date in any other case.

(2) Despite subsection (1), if a licence is granted to a person who states in the application form for the licence that he or she is a visitor, the licence may be granted subject to a condition that it expires 1 year from the date of issue or expires on any earlier date specified in the licence.

(3) If a licence has been granted subject to a condition referred to in subsection (2), the licence expires on the date of expiry referred to or specified in the licence,

or on the date the person to whom the licence is granted leaves New Zealand, whichever occurs first.

Section 25(1): replaced, on 25 June 2020, by section 43(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 25(2): added, on 15 November 2000, by section 4 of the Arms Amendment Act 2000 (2000 No 53).

Section 25(2): amended, on 25 June 2020, by section 43(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 25(3): added, on 15 November 2000, by section 4 of the Arms Amendment Act 2000 (2000 No 53).

25A Application for new firearms licence made by holder of current licence

(1) The holder of a current firearms licence (**licence A**) may, before the expiry of licence A, apply for a new firearms licence.

(2) If an application for a new firearms licence is made but not determined before the expiry of licence A, licence A continues in force, unless it is sooner surrendered or revoked, until the date on which the licence holder is notified of the determination of the application.

(3) A new licence issued on an application made under this section takes effect from—

(a) the date on which licence A expires, if the new licence is issued before licence A expires; or

(b) the date on which the new licence is issued, if the new licence is issued after licence A expires.

Section 25A: inserted, on 29 November 2022, by section 5 of the Arms (Licence Holders' Applications for New Licences) Amendment Act 2022 (2022 No 69).

26 Production of firearms licence

(1) Every holder of a firearms licence—

(a) shall produce the licence for inspection whenever required to do so by any member of the Police:

(b) shall maintain the licence in such a condition that it may be produced in an undefaced and legible condition.

(2) The holder of a firearms licence issued pursuant to this Act shall be deemed to have complied with subsection (1)(a) if, within 7 days after having been so required to produce his licence or permit, he produces it at a place specified by the member of the Police.

(3) Every person commits an offence and is liable on conviction to a fine not exceeding $500 who, being the holder of a firearms licence, fails to comply with subsection (1).

Section 26(3): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

27 Surrender and revocation of firearms licence

(1) A person may at any time surrender their firearms licence to a member of the Police.

(2) A commissioned officer of Police may, by written notice, revoke a firearms licence if, in the opinion of the officer,—

(a) the holder of the licence is not a fit and proper person to be in possession of a firearm or an airgun; or

(b) the holder of the licence has failed or refused to secure any arms item or ammunition in the person's possession, in accordance with regulations made under this Act; or

(c) access to any firearm or airgun in the possession of the holder of the licence is reasonably likely to be obtained by any person—

(i) whose firearms licence has been revoked on the ground that they are not a fit and proper person to be in possession of a firearm or airgun; or

(ii) who, in the opinion of a commissioned officer of Police, is not a fit and proper person to be in possession of a firearm or airgun.

Section 27: replaced, on 25 June 2020, by section 44 of the Arms Legislation Act 2020 (2020 No 23).

27A Family violence and firearms licences

[Repealed]

Section 27A: repealed, on 24 December 2020, by section 45 of the Arms Legislation Act 2020 (2020 No 23).

27B Revocation and surrender of licence if holder becomes disqualified

(1) If the holder of a firearms licence becomes disqualified under section 22H from holding a firearms licence, the holder's licence is immediately revoked.

(2) Nothing in sections 27, 27C, and 62 to 62C applies to a revocation under this section.

Section 27B: inserted, on 24 December 2020, by section 46 of the Arms Legislation Act 2020 (2020 No 23).

27C Revocation of suspended firearms licence

(1) A member of the Police may, by notice in writing to the holder of a firearms licence that is temporarily suspended under section 60A, revoke the licence if the member of the Police—

(a) has considered any submissions made by the holder before the day stated in the notice of suspension on whether the licence should be revoked on the ground stated in that notice; and

(b) is satisfied that the licence should be revoked on that ground.

(2) A member of the Police must give the holder written notice of a decision on whether to revoke a firearms licence temporarily suspended under section 60A promptly after the decision is made.

Section 27C: inserted, on 24 December 2020, by section 46 of the Arms Legislation Act 2020 (2020 No 23).

28 Effect of revocation or surrender of firearms licence

(1) A person whose firearms licence is revoked must immediately surrender their licence to a member of the Police.

(2) On the revocation or surrender of a firearms licence, the holder of the licence—

(a) ceases to be licensed to possess any arms item or ammunition under the licence or any endorsement on it; and

(b) must, on demand, deliver any arms item or ammunition in their possession or under their control to a member of the Police.

(3) A person whose firearms licence is revoked or surrendered may at any time within 3 months, or any longer period that the Commissioner may allow, sell or otherwise dispose of any arms item or ammunition in their possession or under their control to a person approved for the purpose by a member of the Police.

(4) Subject to subsection (3), any arms item or ammunition delivered to a member of the Police under this section may be detained for any period that the Commissioner thinks fit, or may, in the discretion of the Minister of Police, become the property of the Crown, free and discharged from any right, title, or interest possessed by any other person.

(5) The Minister of Finance must pay out of a Crown Bank Account compensation in respect of any arms item or ammunition that is delivered to a member of the Police under this section and that has become the property of the Crown.

(6) If a person whose firearms licence is revoked or surrendered also holds a dealer's licence, their dealer's licence is immediately revoked and must be surrendered with the person's firearms licence.

(7) A person commits an offence and is liable on conviction to a term of imprisonment not exceeding 6 months, or to a fine not exceeding $10,000, if the person, without reasonable excuse, contravenes subsection (1) or (2)(b).

Section 28: replaced, on 25 June 2020, by section 47 of the Arms Legislation Act 2020 (2020 No 23).

Endorsements

Heading: inserted, on 25 June 2020, by section 48 of the Arms Legislation Act 2020 (2020 No 23).

29 Application for endorsements in respect of pistol or restricted weapon

(1) *[Repealed]*

(2) Any person, being an applicant for a firearms licence or a holder of a firearms licence, may apply to a member of the Police for an endorsement on their firearms licence permitting that person to have possession of a pistol or a restricted

weapon (other than an anti-personnel mine or a cluster munition) in his capacity as—

(a) a member of an incorporated pistol shooting club that holds a certificate of approval issued under section 38G; or

(b) a bona fide collector of firearms; or

(c) a person to whom the pistol or restricted weapon has special significance as an heirloom or memento; or

(d) the Director or Curator of a bona fide museum; or

(e) an approved employee or approved member of any body, being—

(i) a broadcaster within the meaning of the Broadcasting Act 1989; or

(ii) a bona fide theatre company or society or cinematic or television film production company or video recording production company; or

(f) an employee of a licensed dealer; or

(g) a person of a class specified for the purposes of this section by regulations made under this Act.

(2A) An applicant for a dealer's licence or the holder of a dealer's licence may apply to a member of the Police for an endorsement on their dealer's licence permitting them to possess a pistol or restricted weapon (other than an anti-personnel mine or a cluster munition) in their capacity as a licensed dealer.

(2B) A person described in subsection (2)(b), (c), (d), or (e) who is an applicant for a firearms licence or a holder of a firearms licence may apply to a member of the Police under this section for an endorsement permitting that person to have possession of a semi-automatic pistol.

(3) For the purposes of subsection (2)(e), **approved**, in relation to any employee or member, means approved in writing for the purposes of that subsection by the chief executive officer of the body by which he is employed or of which he is a member.

(4) An application under subsection (2), (2A), or (2B) must be made on a form provided by a member of the Police.

Section 29(1): repealed, on 25 June 2020, by section 49(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 29(2): amended, on 25 June 2020, by section 49(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 29(2): amended, on 1 August 2010, by section 20(6) of the Cluster Munitions Prohibition Act 2009 (2009 No 68).

Section 29(2): amended, on 9 December 1998, by section 30(3) of the Anti-Personnel Mines Prohibition Act 1998 (1998 No 111).

Section 29(2)(a): replaced, on 24 June 2022, by section 49(3) of the Arms Legislation Act 2020 (2020 No 23).

Section 29(2)(e): substituted, on 1 November 1992, by section 11 of the Arms Amendment Act 1992 (1992 No 95).

Section 29(2)(f): replaced, on 25 June 2020, by section 49(4) of the Arms Legislation Act 2020 (2020 No 23).

Section 29(2A): inserted, on 25 June 2020, by section 49(5) of the Arms Legislation Act 2020 (2020 No 23).

Section 29(2B): inserted, on 25 June 2020, by section 49(5) of the Arms Legislation Act 2020 (2020 No 23).

Section 29(4): replaced, on 25 June 2020, by section 49(6) of the Arms Legislation Act 2020 (2020 No 23).

30 Power to make endorsement in respect of pistols or restricted weapons

(1) On receiving an application under section 29, a member of the Police may, subject to any direction from the Commissioner, make the endorsement applied for if he is satisfied—

(a) that the applicant is a fit and proper person to be in possession of the pistol or restricted weapon to which the application relates; and

(b) that the applicant should, on grounds or in a capacity specified in section 29, be permitted to have possession of the pistol or restricted weapon to which the application relates; and

(c) in the case of an application under section 29(2)(e), that possession of the pistol or restricted weapon by the employee or member is necessary for the purpose of—

(i) making a broadcast; or

(ii) producing or staging a play; or

(iii) filming a cinematic production or television film or making a video recording.

(2) A person whose firearms licence or dealer's licence bears an endorsement made under this section is not entitled to lawfully possess a pistol or restricted weapon until—

(a) the person is issued with a permit for the purposes of section 16(1) to bring or cause to be brought or sent into New Zealand a pistol or restricted weapon; or

(b) the endorsement is made specific to the pistol or restricted weapon in respect of which a permit has been issued under section 35.

(3) A person whose firearms licence or dealer's licence bears an endorsement made under this section is not entitled to lawfully possess a pistol carbine conversion kit until—

(a) the person is issued with a permit under section 18AA for the purposes of section 16(1)(g) to bring or cause to be brought or sent into New Zealand a pistol carbine conversion kit; or

(b) the person holds a permit issued under section 35AAA to possess the pistol carbine conversion kit.

Section 30(1)(c)(iii): amended, on 1 November 1992, by section 12 of the Arms Amendment Act 1992 (1992 No 95).

Section 30(2): inserted, on 12 April 2019, by section 28 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 30(2): amended, on 25 June 2020, by section 50(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 30(3): inserted, on 25 June 2020, by section 50(2) of the Arms Legislation Act 2020 (2020 No 23).

30A Application for endorsement in respect of prohibited firearm or prohibited magazine

(1) An exempt person described in any of paragraphs (b) to (j) of section 4A(1) who is of or over the age of 18 years, and who is the holder of a firearms licence or is applying for a firearms licence, may apply for an endorsement on their firearms licence permitting them to possess a prohibited firearm or prohibited magazine in their capacity as an exempt person.

(2) A person who is of or over the age of 18 years, and who is the holder of a dealer's licence or is applying for a dealer's licence, may apply for an endorsement on their dealer's licence permitting them to possess a prohibited firearm or prohibited magazine in their capacity as a licensed dealer.

(3) A person who is of or over the age of 18 years, and who is the employee of a licensed dealer, may apply for an endorsement on their firearms licence permitting them to possess a prohibited firearm or prohibited magazine in their capacity as an employee of the licensed dealer.

(4) An application under this section must—

(a) be made on a form provided by a member of the Police; and

(b) state in which capacity referred to in subsection (1), (2), or (3) the applicant is making the application.

(5) An applicant must permit a member of the Police to take, or cause to be taken, for the purposes of the application, 1 or more photographs of the applicant.

Section 30A: replaced, on 25 June 2020, by section 51 of the Arms Legislation Act 2020 (2020 No 23).

30B Power to make endorsement in respect of prohibited firearm or prohibited magazine

(1) On receiving an application under section 30A, a member of the Police may, subject to any direction of the Commissioner, make an endorsement on the applicant's firearms licence or dealer's licence permitting the applicant to possess a prohibited firearm or prohibited magazine if the member of the Police is satisfied that—

(a) the applicant is a fit and proper person to possess a prohibited firearm or prohibited magazine to which the application relates; and

(b) it is appropriate for the applicant, in their capacity as an exempt person, to possess a prohibited firearm or prohibited magazine.

(2) In the case of an application made by an exempt person described in section 4A(1)(c), the member of the Police must, before making an endorsement, be satisfied—

(a) of the matters in subsection (1)(a); and

(b) that in all the circumstances it is reasonable to grant the endorsement.

(3) In the case of an application made by an exempt person described in section 4A(1)(e), the member of the Police must, before making an endorsement, be satisfied—

(a) of the matters in subsection (1); and

(b) that the possession of a prohibited firearm or prohibited magazine by the applicant is required for the purpose of—

(i) making a broadcast; or

(ii) producing or staging a play; or

(iii) filming a cinematic production or television film or making a video recording.

(4) In the case of an application made by an exempt person described in section 4A(1)(f), (g), (h), (i), or (j), the member of the Police must, before making an endorsement, be satisfied—

(a) of the matters in subsection (1); and

(b) that the exempt person has a genuine need to possess the prohibited firearm or prohibited magazine; and

(c) that the prohibited firearm or prohibited magazine will be used by the exempt person solely for the purpose of controlling wild animals or animal pests; and

(d) that that purpose cannot effectively be achieved by the use of a non-prohibited firearm or non-prohibited magazine.

(5) A person whose firearms licence or dealer's licence bears an endorsement made under this section is not entitled to lawfully possess a prohibited firearm or prohibited magazine until—

(a) the person is issued with a permit for the purposes of section 16(1) to bring or cause to be brought or sent into New Zealand a prohibited firearm or prohibited magazine; or

(b) the endorsement is made specific to the prohibited firearm or prohibited magazine in respect of which a permit has been issued under section 35A.

Section 30B: replaced, on 12 April 2019, by section 30 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 30B(1): amended, on 25 June 2020, by section 52(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 30B(4): amended, on 25 June 2020, by section 52(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 30B(5): amended, on 25 June 2020, by section 52(3) of the Arms Legislation Act 2020 (2020 No 23).

31 Possession of firearm, pistol, prohibited item, or restricted weapon for stage, film, or television purposes

Notwithstanding anything in this Act, a person who is not entitled under this Act to have possession of a firearm or pistol or prohibited item or restricted weapon may have possession of that firearm or pistol or prohibited item or restricted weapon for the purpose of making a broadcast or a theatrical, cinematic, television film, or video recording production if—

(a) that person is under the immediate supervision of a person who is entitled under this Act to have possession of that firearm or pistol or prohibited item or restricted weapon; and

(b) that person has possession of that firearm or pistol or prohibited item or restricted weapon only during the broadcast or the production or staging of the play or the filming of the cinematic production or television film; and

(c) that person is not in possession of any ammunition (other than blank ammunition) for the firearm or pistol, or prohibited item or restricted weapon.

Section 31: substituted, on 1 November 1992, by section 14 of the Arms Amendment Act 1992 (1992 No 95).

Section 31 heading: amended, on 12 April 2019, by section 31(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 31: amended, on 25 June 2020, by section 53 of the Arms Legislation Act 2020 (2020 No 23).

Section 31: amended, on 12 April 2019, by section 31(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 31(a): amended, on 12 April 2019, by section 31(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 31(b): amended, on 12 April 2019, by section 31(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 31(c): amended, on 12 April 2019, by section 31(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

31A Conditions of endorsements

(1) Every endorsement is granted subject to the conditions that any person who is in possession of a pistol, restricted weapon (other than an air pistol), prohibited firearm, or prohibited magazine by virtue of that endorsement must—

(a) produce that pistol, restricted weapon, prohibited firearm, or prohibited magazine to any member of the Police on demand; and

(b) permit the member of the Police to inspect the pistol, restricted weapon, prohibited firearm, or prohibited magazine and the place where it is kept, and, for that purpose, to enter at all reasonable times upon the premises where the place is situated.

(2) It is the duty of every member of the Police exercising any power conferred by subsection (1)—

(a) to identify themselves to the person in possession of the pistol, restricted weapon, prohibited firearm, or prohibited magazine; and

(b) to tell the person in possession of the pistol, restricted weapon, prohibited firearm, or prohibited magazine that the power is being exercised under subsection (1); and

(c) if they are not in uniform, to produce on initial entry, and, if requested, at any subsequent time, evidence that they are a member of the Police.

Section 31A: inserted, on 12 April 2019, by section 32 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

32 Further conditions of endorsements in respect of pistols and restricted weapons

(1) It is a condition of every endorsement made under section 30 that the holder of the firearms licence—

(a) observes, in respect of every pistol or restricted weapon or part of a restricted weapon in his possession, such security precautions as are required by regulations made under this Act; and

(b) ensures that every restricted weapon in his possession is both rendered inoperable by the removal of a vital part and maintained, by reason of the removal of a vital part, in an inoperable condition.

(2) Any member of the Police may, on the direction of the Commissioner, impose, as conditions of an endorsement made by that member of the Police under section 30, such conditions with regard to the use or custody of the pistol or restricted weapon (being conditions additional to those specified in subsection (1)) as that member of the Police thinks fit.

Section 32 heading: replaced, on 12 April 2019, by section 33 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

33 Revocation of endorsements

(1) If, in the opinion of a commissioned officer of Police, any person whose licence bears an endorsement made under section 30,—

(a) would not, on an application made under section 29, be entitled to have that endorsement made on his firearms licence; or

(b) has failed to observe any conditions of the endorsement,—

that commissioned officer may, by notice in writing under his hand, revoke that endorsement, and that person shall, upon demand, surrender his firearms licence to a member of the Police for cancellation of the endorsement.

(2) An endorsement in respect of a pistol shall not be revoked under subsection (1) if—

(a) the holder of the firearms licence has owned that pistol since before 16 May 1969 and, immediately before that date, was registered under section 9 of the Arms Act 1958 as the owner of that pistol; and

(b) the pistol, although less than 762 millimetres in length, has not been reduced below that length since 15 May 1969 and is not designed or adapted to be held and fired with 1 hand.

(3) On the revocation of an endorsement pursuant to this section the holder of the firearms licence shall cease to be entitled to have possession of a pistol or a restricted weapon, as the case may require, whether or not the firearms licence is surrendered pursuant to subsection (1).

(4) The provisions of this section are in addition to the provisions of sections 27 and 28.

33A Further conditions of endorsement in respect of prohibited firearm or prohibited magazine

(1) An endorsement on a firearms licence in respect of a prohibited firearm or prohibited magazine made under section 30B is subject to the following conditions:

(a) the holder of the firearms licence may only possess and use the prohibited firearm or prohibited magazine in their capacity as an exempt person; and

(b) the holder of the firearms licence must observe in respect of every prohibited firearm or prohibited magazine in their possession all security precautions required by regulations made under this Act; and

(c) the holder of the firearms licence who is an exempt person under section 4A(1)(b), (c), (d), or (e) must—

(i) not use live ammunition in the prohibited firearm in their possession; and

(ii) ensure that the prohibited firearm is—

(A) rendered inoperable by removal of a vital part; and

(B) maintained, by reason of the removal of the vital part, in an inoperable condition; and

(iii) ensure that the removed vital part is kept at a separate address from the prohibited firearm; and

(d) any other conditions regarding the use and custody of the prohibited item in their possession that the Commissioner thinks necessary.

(2) In subsection (1)(c)(iii), **separate address** means an address approved by a member of the Police.

Section 33A: replaced, on 12 April 2019, by section 34 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

33B Revocation of endorsement in respect of prohibited firearm or prohibited magazine

(1) If, in the opinion of a commissioned officer of Police, any person whose licence bears an endorsement made under section 30B—

(a) would not, on an application made under section 30A, be entitled to have that endorsement made on that person's firearms licence; or

(b) has failed to observe any condition of that endorsement,—

that commissioned officer may, by notice in writing signed by that commissioned officer, revoke that endorsement, and that person shall upon demand surrender that person's firearms licence to a member of the Police for cancellation of the endorsement.

(2) On the revocation of an endorsement pursuant to this section, the holder of the firearms licence shall cease to be entitled to have possession of a prohibited firearm or prohibited magazine, whether or not the firearms licence is surrendered pursuant to subsection (1).

(3) The provisions of this section are in addition to the provisions of sections 27 to 28.

Section 33B: inserted, on 1 November 1992, by section 15 of the Arms Amendment Act 1992 (1992 No 95).

Section 33B heading: replaced, on 12 April 2019, by section 35(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 33B(2): amended, on 12 April 2019, by section 35(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

33C Duration of endorsements

(1) An endorsement made under section 30 or 30B on a firearms licence held by an employee of a licensed dealer for the purposes of their employment with the dealer continues in force for 1 year after the date on which the endorsement was made, unless one of the following first occurs:

(a) the employee's firearms licence expires:

(b) the employee's firearms licence is surrendered or revoked:

(c) the licensed dealer's licence expires:

(d) the licensed dealer's licence is surrendered or revoked:

(e) the relevant endorsement made under section 30 or 30B on the licensed dealer's licence is revoked:

(f) the employee ceases to be employed by the licensed dealer.

(2) However, unless earlier revoked or surrendered, an endorsement made under section 30B at any time after 12 April 2019 on a firearms licence held by a person described in section 4A(1)(f), (g), (h), (i), or (j) continues in force until the earlier of the following dates:

(a) the date that is 2 years and 6 months after the date on which the endorsement was made:

(b) the date on which the licence—

(i) is surrendered or revoked; or

(ii) expires.

(3) Unless earlier revoked or surrendered, an endorsement made under section 30 or 30B on a firearms licence held by any other person, or on a dealer's licence, continues in force for so long as the licence continues in force.

Section 33C: inserted, on 25 June 2020, by section 54 of the Arms Legislation Act 2020 (2020 No 23).

34 Notification of change of address

(1) A holder of a firearms licence who changes their address must, within 30 days after doing so, give written notice of the change to a member of the Police.

(2) Every holder of a firearms licence, being a licence that bears an endorsement permitting the holder to have possession of a pistol, prohibited firearm, prohibited magazine, or restricted weapon, who intends to change his address, must notify a member of the Police of the arrangements made for the safe custody of the pistol, prohibited firearm, prohibited magazine, or restricted weapon during its shift to the new address.

(3) A person commits an offence and is liable on conviction to a fine not exceeding $2,000 if the person, without reasonable excuse, contravenes subsection (1) or (2).

Compare: SR 1959/5 rr 19, 20; SR 1976/143 r 5

Section 34(1): replaced, on 25 June 2020, by section 55(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 34(2): amended, on 25 June 2020, by section 55(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 34(2): amended, on 12 April 2019, by section 36 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 34(2): amended, on 1 November 1992, by section 16 of the Arms Amendment Act 1992 (1992 No 95).

Section 34(3): replaced, on 25 June 2020, by section 55(3) of the Arms Legislation Act 2020 (2020 No 23).

Photographs

Heading: inserted, on 1 November 1992, by section 17 of the Arms Amendment Act 1992 (1992 No 95).

34A Power to require or take photographs of applicants

Regulations made under this Act or a member of the Police may require an applicant for a dealer's licence or an applicant for a firearms licence or a person who applies under section 29(1) or section 29(2) or section 30A or section 36 for an endorsement—

(a) to supply, for the purposes of the application, a photograph or photographs of the applicant or person; or

(b) to permit a member of the Police to take or to cause to be taken, for the purposes of the application, a photograph or photographs of the applicant or person; or

(c) to comply with both paragraph (a) and paragraph (b).

Section 34A: inserted, on 1 November 1992, by section 17 of the Arms Amendment Act 1992 (1992 No 95).

34B Effect of non-compliance with requirements in relation to photographs or to calling-in of licences

Without limiting the generality of the provisions of sections 5, 9, 24, 27, 29, 30A, 33B, and 36, it is hereby declared that a commissioned officer of Police may, under any of those provisions, refuse an application or revoke a licence or an endorsement if that commissioned officer of Police is satisfied, that the applicant or licence holder—

(a) has wilfully failed to comply with any requirements imposed by or under this Act in relation to the affixing to dealers' licences or firearms licences of photographs of licence holders or to the imaging into such licences of such photographs; or

(b) has, on having his or her firearms licence called in by the Commissioner under section 33 of the Arms Amendment Act 1992, wilfully failed to deliver his or her firearms licence to a Police station in accordance with a notice given to that licence holder under that section.

Section 34B: inserted, on 1 November 1992, by section 17 of the Arms Amendment Act 1992 (1992 No 95).

Section 34B(b): amended, on 25 June 2020, by section 56 of the Arms Legislation Act 2020 (2020 No 23).

Permits to possess pistols, restricted weapons, prohibited firearms, prohibited magazines, and pistol carbine conversion kits

Heading: replaced, on 25 June 2020, by section 57 of the Arms Legislation Act 2020 (2020 No 23).

35 Issue of permit to possess pistol or restricted weapon

(1) A permit to possess a pistol or restricted weapon may be issued only by a member of the Police acting under a direction of the Commissioner.

(2) A permit to possess a pistol or restricted weapon may be issued if the member of the Police to whom the application is made is satisfied—

(a) that the applicant holds a dealer's licence that bears an endorsement made under section 30; or

(b) that the applicant holds a firearms licence that bears an endorsement made under section 30 and that, by virtue of that licence and endorsement, the applicant is permitted to have possession of the pistol or restricted weapon, as the case may be.

(2A) A permit may not be issued under this section to an applicant acting in their capacity as an employee of a licensed dealer.

(3) Every permit issued under this section shall, unless sooner revoked, remain in force for such period, not exceeding 1 month, as may be specified in the permit.

(4) Any permit issued under this section may at any time during its currency be revoked by a commissioned officer of Police.

(5) No permit is to be issued under this section in respect of an anti-personnel mine or a cluster munition.

Section 35: substituted, on 1 November 1992, by section 18 of the Arms Amendment Act 1992 (1992 No 95).

Section 35 heading: replaced, on 12 April 2019, by section 38(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 35(1): amended, on 12 April 2019, by section 38(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 35(1): amended, on 12 April 2019, by section 38(3) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 35(2): replaced, on 25 June 2020, by section 58 of the Arms Legislation Act 2020 (2020 No 23).

Section 35(2A): inserted, on 25 June 2020, by section 58 of the Arms Legislation Act 2020 (2020 No 23).

Section 35(5): added, on 9 December 1998, by section 30(4) of the Anti-Personnel Mines Prohibition Act 1998 (1998 No 111).

Section 35(5): amended, on 1 August 2010, by section 20(7) of the Cluster Munitions Prohibition Act 2009 (2009 No 68).

35AAA Issue of permit to possess pistol carbine conversion kit

(1) A permit to possess a pistol carbine conversion kit may be issued to an applicant only by a member of the Police acting under a direction of the Commissioner.

(2) A permit to possess a pistol carbine conversion kit may be issued if the member of the Police to whom the application is made is satisfied—

(a) that the applicant—

(i) is the holder of a dealer's licence that bears an endorsement made under section 30 permitting the holder to possess a pistol; and

(ii) has been issued with—

(A) a permit, under section 18, to import a pistol; or

(B) a permit, under section 35, to possess a pistol; or

(b) that the applicant (not being an employee of a licensed dealer)—

(i) is the holder of a firearms licence that bears an endorsement made under section 30 permitting the holder to possess a pistol; and

(ii) has been issued with—

(A) a permit, under section 18, to import a pistol; or

(B) a permit, under section 35, to possess a pistol.

(3) The member of the Police to whom the application is made must also be satisfied that—

(a) the pistol carbine conversion kit specifically enables a pistol that has an overall length of no more than 400 millimetres and is capable of firing specified ammunition at a muzzle velocity of 1,600 feet per second or less to be fired from the shoulder; and

(b) the pistol carbine conversion kit does not modify the pistol in any way other than as specified in paragraph (a).

(4) However, if an application is made by an applicant in the applicant's capacity referred to in section 29(2)(b), (c), (d), or (e), the Commissioner may grant the application without being satisfied of the matters in subsection (3).

(5) Unless sooner revoked, a permit issued under this section remains in force for the period specified in the permit, which must not exceed 1 month.

(6) A permit may at any time be revoked by a commissioned officer of Police.

Section 35AAA: inserted, on 25 June 2020, by section 59 of the Arms Legislation Act 2020 (2020 No 23).

35A Issue of permit to possess prohibited firearm or prohibited magazine

(1) A permit to possess a prohibited firearm or prohibited magazine may be issued only by a member of the Police acting under a direction of the Commissioner.

(2) A permit to possess a prohibited firearm or prohibited magazine may be issued if the applicant holds a dealer's licence or firearms licence that bears an endorsement made under section 30B permitting the applicant to possess a prohibited firearm or prohibited magazine and the member of the Police is satisfied that it is appropriate for the applicant to possess the prohibited firearm or prohibited magazine.

(2A) A permit may not be issued under this section to an applicant acting in their capacity as an employee of a licensed dealer.

(3) Unless sooner revoked, a permit issued under this section remains in force for the period specified in the permit, which must not exceed 1 month.

(4) A permit may at any time be revoked by a commissioned officer of Police.

Section 35A: inserted, on 12 April 2019, by section 39 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 35A(2): replaced, on 25 June 2020, by section 60 of the Arms Legislation Act 2020 (2020 No 23).

Section 35A(2A): inserted, on 25 June 2020, by section 60 of the Arms Legislation Act 2020 (2020 No 23).

36 Offence to carry pistol, prohibited firearm, prohibited magazine, or restricted weapon without authority

(1) No person shall carry a pistol, prohibited firearm, prohibited magazine, or restricted weapon in any place beyond the curtilage of his dwelling, save under and in accordance with the conditions endorsed on his firearms licence by a member of the Police.

(2) Any such endorsement may be at any time revoked by any commissioned officer of Police.

(3) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding $10,000, if the person, without reasonable excuse, contravenes subsection (1).

(4) *[Repealed]*

(5) It is a good defence to a prosecution for an offence against subsection (3) if the defendant proves—

(a) that he is the holder of a firearms licence; and

(b) that he has owned the firearm to which the charge relates since before 16 May 1969; and

(c) that, immediately before 16 May 1969, he was registered under section 9 of the Arms Act 1958 as the owner of that firearm; and

(d) that, although that firearm is less than 762 millimetres in length, it has not been reduced below that length since 15 May 1969 and is not designed or adapted to be held and fired with 1 hand.

Compare: 1958 No 21 ss 13, 23A; 1974 No 68 s 8

Section 36 heading: replaced, on 25 June 2020, by section 61(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 36(1): amended, on 25 June 2020, by section 61(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 36(3): replaced, on 25 June 2020, by section 61(3) of the Arms Legislation Act 2020 (2020 No 23).

Section 36(4): repealed, on 25 June 2020, by section 61(4) of the Arms Legislation Act 2020 (2020 No 23).

37 Surrender of restricted weapon

(1) Subject to subsection (2) or an endorsement made under section 30, no person shall at any time be in possession of a restricted weapon, or of any part or parts intended or adapted for use as part of a restricted weapon.

(2) Before the expiry of 1 month after the publication under the Legislation Act 2019 of an Order in Council declaring any weapon to be a restricted weapon, every person in possession of any such weapon or any part or parts intended or adapted for use as part of such a weapon shall cause the weapon, or the parts,—

(a) to be destroyed; or

(b) to be disposed of to a person approved by the Commissioner; or

(c) to be exported from New Zealand; or

(d) to be delivered to a member of the Police.

(3) The Minister of Finance shall, subject to subsection (4), pay compensation out of a Crown Bank Account for the value of all weapons in a serviceable condition, and for all parts, delivered to a member of the Police in accordance with subsection (2)(d).

(4) Compensation shall not be paid under subsection (3) unless the Minister is satisfied—

(a) that the person claiming compensation has acquired the weapon or parts lawfully; and

(b) if he has brought the weapon or parts into New Zealand, that he has done so lawfully.

Compare: 1958 No 21 s 12(1)–(2); 1962 No 59 s 3

Section 37(2): amended, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Section 37(3): amended, on 25 January 2005, pursuant to section 65R(3) of the Public Finance Act 1989 (1989 No 44).

38 Removal of pistol, prohibited firearm, prohibited magazine, or restricted weapon out of New Zealand

(1) A holder of a firearms licence who intends to remove any pistol, prohibited firearm, prohibited magazine, or restricted weapon from New Zealand must—

(a) give not less than 4 days' notice of the intended removal to a member of the Police; and

(b) deliver to a Police station their firearms licence for amendment of the endorsement.

(2) A person commits an offence and is liable on conviction to a fine not exceeding $2,000 if the person, without reasonable excuse, contravenes subsection (1).

Compare: SR 1959/5 r 20; SR 1976/143 r 5(a)–(c)

Section 38 heading: substituted, on 1 November 1992, by section 19 of the Arms Amendment Act 1992 (1992 No 95).

Section 38 heading: amended, on 12 April 2019, by section 40(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 38(1): replaced, on 25 June 2020, by section 62(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 38(2): replaced, on 25 June 2020, by section 62(2) of the Arms Legislation Act 2020 (2020 No 23).

Part 6
Shooting clubs and shooting ranges

Part 6: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38A Interpretation

In this Part,—

application for approval means an application made under section 38D to have a pistol shooting club approved

application for certification means an application made under section 38S to have a pistol shooting range certified

non-pistol shooting club means a shooting club that is not a pistol shooting club

non-pistol shooting range means a shooting range at which pistols cannot be used

pistol shooting club means a shooting club that facilitates participation in shooting activities that include the use of pistols

pistol shooting range means a shooting range at which pistols can be used

range operator means the person who is operating, or proposing to operate, a shooting range

range standing orders, in relation to a shooting range, means a document that—

(a) describes the design of the shooting range; and

(b) sets out the operational detail, and conditions of use, of the shooting range

shooting activities—

(a) means activities that are carried out using a firearm or an airgun for the purpose of shooting at inanimate targets (whether fixed or moving); but

(b) excludes—

(i) paintball shooting; and

(ii) airsoft shooting

shooting club means a voluntary association of people who—

(a) act in accordance with a set of written rules; and

(b) participate in, or intend to participate in, shooting activities on a regular basis

shooting event, in relation to a temporary non-pistol shooting range, means an event that—

(a) includes shooting activities; and

(b) lasts for not more than 4 days, with the first day being the day the event commences for participants (who are not event organisers or staff)

shooting range—

(a) means a facility (whether indoor or outdoor), or a designated area of land, used by a shooting club or members of the public for the primary purpose of carrying out shooting activities; and

(b) includes any defence area (as that term is defined in section 2(1) of the Defence Act 1990) used by a shooting club

temporary non-pistol shooting range means a non-pistol shooting range that is set up temporarily for no more than 2 shooting events in any calendar year.

Section 38A: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Pistol shooting clubs

Heading: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38B Pistol shooting club must have certificate of approval

(1) A pistol shooting club must hold a certificate of approval issued by the Commissioner.

(2) A person commits an offence and is liable on conviction to a fine not exceeding $10,000 if the person, without reasonable excuse, establishes or operates a pistol shooting club without the club holding a certificate of approval.

Section 38B: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38C Pistol shooting club must be incorporated society

A pistol shooting club may not hold a certificate of approval under section 38G unless the club is registered as an incorporated society under—

(a) the Incorporated Societies Act 1908; or

(b) the Incorporated Societies Act 2022.

Section 38C: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38D Application for certificate of approval in respect of pistol shooting club

(1) An application for a certificate of approval in respect of a pistol shooting club may be made only by a person who is authorised by the pistol shooting club to make the application on its behalf.

(2) An application for approval must be made to the Commissioner in the manner prescribed by regulations made under this Act, and must—

(a) be in a form approved by the Commissioner; and

(b) be supported by any information and documents that are prescribed; and

(c) be accompanied by the prescribed application fee (if any).

Section 38D: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38E Commissioner may make inquiries and request further information

On receipt of an application for approval, the Commissioner—

(a) may make whatever inquiries the Commissioner considers necessary to determine whether the application should be granted; and

(b) may request the applicant to provide any further information or documents that the Commissioner considers necessary to determine whether the application should be granted.

Section 38E: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38F Decision on application for certificate of approval

The Commissioner may grant an application for approval if the Commissioner is satisfied that the pistol shooting club—

(a) will be using a certified pistol shooting range for its shooting activities; and

(b) has rules relating to the safe operation of firearms and promotes the safe possession and use of firearms; and

(c) is appropriately administered; and

(d) is able to safely manage its shooting activities; and

(e) has proper storage for any firearm or ammunition held at any of the club's premises or at a certified pistol shooting range used by the club.

Section 38F: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38G Issue of certificate of approval

(1) If the Commissioner grants an application for approval, the Commissioner must issue to the pistol shooting club a certificate of approval.

(2) A certificate of approval may be granted subject to any conditions that the Commissioner considers appropriate.

Section 38G: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38H Duration of certificate of approval

A certificate of approval granted to a pistol shooting club continues until—

(a) surrendered by the pistol shooting club; or

(b) cancelled by the Commissioner.

Section 38H: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38I Cancellation of certificate of approval

(1) The Commissioner must cancel a pistol shooting club's certificate of approval if the Commissioner is satisfied that—

(a) the pistol shooting club is not using a certified pistol shooting range for its shooting activities; or

(b) the pistol shooting club is no longer carrying on its operations; or

(c) the pistol shooting club no longer meets the requirements in section 38C or 38F; or

(d) the pistol shooting club has failed to comply with an improvement notice issued under section 38XL.

(2) The Commissioner may cancel a shooting club's certificate of approval if the Commissioner is satisfied that—

(a) the shooting club has failed to comply with any conditions to which its certificate of approval is subject; or

(b) the shooting club has failed to report any serious firearms-related safety incident; or

(c) any activity of the shooting club has raised any reasonable concern about the safety of its members or the public.

Section 38I: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38J Annual reports

(1) A pistol shooting club must, not later than 2 months after the close of each financial year, provide to the Commissioner an annual report on its operations for that year.

(2) An annual report must include the particulars prescribed in regulations made under this Act.

(3) In this section, **financial year** means a period of 12 months commencing on 1 July in each year and ending on 30 June in the following year.

Section 38J: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Non-pistol shooting clubs

Heading: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38K Non-pistol shooting club must be enrolled

(1) A non-pistol shooting club must be enrolled.

(2) A person commits an offence and is liable on conviction to a fine not exceeding $10,000 if the person, without reasonable excuse, establishes or operates a non-pistol shooting club without the club being enrolled.

Section 38K: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Shooting ranges

[Repealed]

Heading: repealed, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38L Non-pistol shooting club must be incorporated society in certain circumstances

(1) If firearms are sold to persons on behalf of a non-pistol shooting club, the club may not be enrolled under section 38O unless it is registered as an incorporated society under—

(a) the Incorporated Societies Act 1908; or

(b) the Incorporated Societies Act 2022.

(2) If ammunition is sold to persons on behalf of a non-pistol shooting club, the club may not be enrolled under section 38O unless it is registered as an incorporated society under—

(a) the Incorporated Societies Act 1908; or

(b) the Incorporated Societies Act 2022.

(3) However, subsection (2) does not apply if ammunition is sold to persons on behalf of the non-pistol shooting club for use on the day of sale at a club shooting activity and the ammunition is—

(a) used by the persons at the club shooting activity; or

(b) stored on the premises of the club after the club shooting activity.

Section 38L: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38M Application for enrolment in respect of non-pistol shooting club

(1) An application for enrolment in respect of a non-pistol shooting club must be made,—

(a) if the non-pistol shooting club is a body corporate, by a person who is authorised to make the application; or

(b) if the non-pistol shooting club is not a body corporate, by the club's representative who is authorised by the club to make the application.

(2) An application for enrolment must be made to the Commissioner in the manner prescribed by regulations made under this Act, and must—

(a) be in a form approved by the Commissioner; and

(b) be supported by any information and documents that are prescribed; and

(c) be accompanied by the prescribed application fee (if any).

Section 38M: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38N Commissioner may make inquiries and request further information

On receipt of an application for enrolment from a non-pistol shooting club, the Commissioner may, for the purpose of determining whether the information provided is complete and correct,—

(a) make whatever inquiries the Commissioner considers necessary; and

(b) request the applicant to provide any further information or documents.

Section 38N: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38O Confirmation of enrolment

If the Commissioner is satisfied that an application is made in accordance with section 38M and that the information provided is complete and correct, the Commissioner must—

(a) place the name and details of the non-pistol shooting club on the roll of non-pistol shooting clubs; and

(b) notify the non-pistol shooting club that it is enrolled and of the date of its enrolment.

Section 38O: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38P Commissioner to keep roll of non-pistol shooting clubs

The Commissioner must establish and maintain a roll of non-pistol shooting clubs.

Section 38P: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38Q Cancellation of enrolment

The Commissioner must cancel a non-pistol shooting club's enrolment if—

(a) the non-pistol shooting club requests the cancellation of its enrolment; or

(b) the Commissioner is satisfied that the club is no longer carrying on its operations.

Section 38Q: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Pistol shooting ranges

Heading: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38R Pistol shooting ranges must be certified

(1) A person may not operate a pistol shooting range unless the shooting range is a certified pistol shooting range.

(2) A person commits an offence and is liable on conviction to a fine not exceeding $10,000 if the person, without reasonable excuse, contravenes subsection (1).

Section 38R: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38S Application for certification of pistol shooting range

(1) An application for certification of a pistol shooting range may be made,—

(a) if the person who is proposing to operate the range is an individual, by that individual; or

(b) if the person who is proposing to operate the range is a body corporate, by a person who is authorised to make the application; or

(c) if the person who is proposing to operate the range is not an individual or a body corporate, by the person's representative who is authorised by the person to make the application.

(2) An application for certification must be made to the Commissioner in the manner prescribed by regulations made under this Act, and must—

(a) be in a form approved by the Commissioner; and

(b) be supported by any information and documents that are prescribed; and

(c) be accompanied by the prescribed application fee (if any).

Section 38S: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38T Commissioner may make inquiries and request further information

On receipt of an application for certification, the Commissioner may—

(a) make whatever inquiries the Commissioner considers necessary to determine whether the application should be granted; and

(b) request the applicant to provide any further information or documents that the Commissioner considers necessary to determine whether the application should be granted.

Section 38T: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Compliance

[Repealed]

Heading: repealed, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38U Decision on application to have pistol shooting range certified

The Commissioner may grant an application for certification if the Commissioner is satisfied that—

(a) the pistol shooting range meets all required safety standards published by the Commissioner; and

(b) all necessary territorial authority and regional council consents to operate the pistol shooting range have been obtained.

Section 38U: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38V Grant of certification

If the Commissioner grants an application for certification in respect of a pistol shooting range, the Commissioner must issue a certificate to the applicant.

Section 38V: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38W Certification granted subject to condition

(1) A certificate granted under section 38V is subject to the condition that, at all times while the certified pistol shooting range is in use, an officer is on duty who—

(a) holds a firearms licence; and

(b) is appropriately trained in pistol shooting range safety management.

(2) Certification granted under section 38V may be made subject to any other conditions that the Commissioner considers appropriate, which may include conditions relating to—

(a) maintenance of the shooting range:

(b) public access to the shooting range:

(c) restrictions on the types of firearms and ammunition that may be used at the shooting range:

(d) competitions that may be conducted at the shooting range.

(3) The operator of a certified pistol shooting range must request the Commissioner to review the certification of the range if it is intended that the operation of the range will depart from the conditions imposed by or under this section.

Section 38W: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38X Duration of certification

A certificate issued in respect of a pistol shooting range remains in force for 5 years after the date on which it is issued unless the certificate is sooner surrendered or cancelled.

Section 38X: replaced, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38XA Cancellation of certification

The Commissioner may cancel certification in respect of a pistol shooting range if the Commissioner is satisfied that—

(a) the shooting range is no longer being operated as a pistol shooting range; or

(b) the shooting range is not being operated with proper regard to individual or public safety; or

(c) the range operator is not complying with any conditions imposed under section 38W; or

(d) having regard to the matters specified in section 38U, it is no longer appropriate that the shooting range be certified; or

(e) the range operator has failed to comply with an improvement notice issued under section 38XL.

Section 38XA: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38XB Renewal of certification

(1) A certificate granted under section 38V may be renewed on 1 or more occasions.

(2) Sections 38S to 38XA apply to an application for renewal of certification as if the application were an application for certification, unless subsection (4) applies.

(3) A renewed certificate is to be treated for all purposes as a new certification granted under section 38V.

(4) If the circumstances of the shooting range have not changed significantly for 5 years, the applicant may initiate the renewal of the certification by using a form approved by the Commissioner instead of applying under section 38S.

Section 38XB: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Non-pistol shooting ranges

Heading: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38XC Non-pistol shooting ranges that are not temporary non-pistol shooting ranges must be enrolled

(1) A person may not operate a non-pistol shooting range (that is not a temporary non-pistol shooting range) unless the shooting range is enrolled.

(2) A person commits an offence and is liable on conviction to a fine not exceeding $10,000 if the person, without reasonable excuse, contravenes subsection (1).

Section 38XC: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38XD Temporary non-pistol shooting ranges must be notified to Commissioner

(1) The following persons may operate a temporary non-pistol shooting range:

(a) a shooting club:

(b) a member of a shooting club:

(c) an operator of—

(i) a pistol shooting range that is certified under section 38V; or

(ii) a non-pistol shooting range that is enrolled under section 38XH.

(2) The operator of a temporary non-pistol shooting range must notify the Commissioner of the temporary non-pistol shooting range.

(3) A person commits an offence and is liable on conviction to a fine not exceeding $10,000 if the person, without reasonable excuse, contravenes subsection (2).

Section 38XD: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38XE Application for enrolment of non-pistol shooting range

(1) An application for the enrolment of a non-pistol shooting range must be made,—

(a) if the person who is proposing to operate the range is an individual, by that individual; or

(b) if the person who is proposing to operate the range is a body corporate, by a person who is authorised to make the application; or

(c) if the person who is proposing to operate the range is not an individual or a body corporate, by the person's representative who is authorised by the person to make the application.

(2) An application for enrolment must be made to the Commissioner in the manner prescribed by regulations made under this Act, and must—

(a) be in a form approved by the Commissioner; and

(b) include a declaration declaring that—

(i) the non-pistol shooting range has range standing orders that have been approved by the association the range is affiliated with or the Police; and

(ii) all necessary territorial authority and regional council consents to operate the non-pistol shooting range have been obtained; and

(c) be supported by any information and documents that are prescribed; and

(d) be accompanied by the prescribed application fee (if any).

Section 38XE: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38XF Commissioner may make inquiries and request further information

On receipt of an application from an applicant for the enrolment of a non-pistol shooting range, the Commissioner may, for the purpose of determining whether the information is complete and correct,—

(a) make whatever inquiries the Commissioner considers necessary; and

(b) request the applicant to provide any further information or documents.

Section 38XF: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38XG Decision on application to have non-pistol shooting range enrolled

The Commissioner must grant an application for the enrolment of a non-pistol shooting range if the Commissioner is satisfied that—

(a) the application is made in accordance with section 38XE; and

(b) all information provided in the application, and any information provided in response to a request under section 38XF(b), is complete and correct.

Section 38XG: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38XH Confirmation of enrolment

If the Commissioner grants an application for the enrolment of a non-pistol shooting range, the Commissioner must—

(a) place the name and details of the non-pistol shooting range on the roll of non-pistol shooting ranges; and

(b) notify the applicant that the non-pistol shooting range is enrolled and of the date of the enrolment.

Section 38XH: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38XI Commissioner to keep roll of non-pistol shooting ranges

The Commissioner must establish and maintain a roll of non-pistol shooting ranges.

Section 38XI: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38XJ Cancellation of enrolment

The Commissioner may cancel a non-pistol shooting range's enrolment if—

(a) the range operator requests the cancellation of the enrolment of the range; or

(b) the Commissioner is satisfied that the range is no longer being operated as a non-pistol shooting range; or

(c) the range is not being operated with proper regard to individual or public safety; or

(d) the range operator has failed to comply with an improvement notice issued under section 38XL.

Section 38XJ: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Compliance

Heading: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38XK Inspections of shooting clubs and shooting ranges

(1) For the purpose of ensuring that a shooting club or shooting range is operated in accordance with this Act, a person who is a member of the Police and authorised in writing by the Commissioner may—

(a) enter and inspect—

(i) any shooting range (including any shooting club that is part of the range); and

(ii) any place where the shooting club stores firearms or ammunition:

(b) inspect, print, or copy documents that the person believes on reasonable grounds to be those of the shooting club or shooting range:

(c) remove any hard copy documents that the person believes on reasonable grounds to be those of the shooting club or shooting range.

(2) Unless there is a change of circumstances that may affect its safety, an inspection under subsection (1) may only be undertaken,—

(a) in respect of a pistol shooting range, when the Commissioner is considering an application for—

(i) certification; or

(ii) renewal of its certification:

(b) in respect of a non-pistol shooting range, when the Commissioner is considering an application for enrolment, and then at intervals of not less than 5 years.

(3) A member of the Police must give at least 7 days' notice of their intention to enter and inspect a venue of a shooting club or shooting range.

(4) The provisions of Part 4 of the Search and Surveillance Act 2012 (apart from subpart 3) apply.

Section 38XK: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38XL Improvement notices

(1) This section applies if a member of the Police reasonably believes that—

(a) a pistol shooting club is failing, is likely to fail, or has failed to comply with any conditions to which its certificate of approval is subject; or

(b) a pistol shooting range is failing, is likely to fail, or has failed to comply with the condition to which its certification is subject; or

(c) a shooting club or shooting range is contravening, is likely to contravene, or has contravened a provision of this Act or regulations made under this Act.

(2) If this section applies, the member of the Police may issue an improvement notice to the shooting club or the range operator requiring the shooting club or range operator, within a reasonable period of time specified in the notice, to—

(a) remedy the non-compliance or contravention; or

(b) prevent a likely non-compliance or contravention from occurring.

Section 38XL: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38XM Temporary suspension of pistol shooting club's operations for non-compliance with improvement notice

(1) A member of the Police may, by notice in writing to a pistol shooting club, temporarily suspend the operations of the shooting club if the member is satisfied that the shooting club has failed to comply with an improvement notice issued under section 38XL.

(2) A notice of temporary suspension must state—

(a) the ground on which the notice is given; and

(b) the date on which the suspension begins; and

(c) that the suspension is to enable the Police to consider cancelling the pistol shooting club's certificate of approval; and

(d) that the suspension lasts until notice of the decision as to whether to cancel the certificate of approval is given to the pistol shooting club, but, if the notice is not given within 90 days after the suspension takes effect, the suspension ends with the close of that 90-day period.

Section 38XM: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

38XN Temporary suspension of shooting range's operations for non-compliance with improvement notice

(1) A member of the Police may, by notice in writing to the range operator, temporarily suspend the operations of the shooting range if the member is satisfied that the shooting range has failed to comply with an improvement notice issued under section 38XL.

(2) A notice of temporary suspension must state—

(a) the ground on which the notice is given; and

(b) the date on which the suspension begins.

(3) In the case of a notice of temporary suspension issued to a pistol shooting range, the notice must also state—

(a) that the suspension is to enable the Police to consider cancelling the shooting range's certification on that ground; and

(b) that the suspension lasts until notice of the decision as to whether to cancel the certification is given to the range operator, but, if the notice is not given within 90 days after the suspension takes effect, the suspension ends with the close of that 90-day period.

Section 38XN: inserted, on 29 June 2025, by section 5 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Miscellaneous obligations

[Repealed]

Heading: repealed, on 25 June 2020, by section 64 of the Arms Legislation Act 2020 (2020 No 23).

39 Loss, theft, or destruction

[Repealed]

Section 39: repealed, on 25 June 2020, by section 64 of the Arms Legislation Act 2020 (2020 No 23).

40 Person in possession of firearm, etc, must give identifying information to Police

[Repealed]

Section 40: repealed, on 25 June 2020, by section 64 of the Arms Legislation Act 2020 (2020 No 23).

41 Powers of Police to require surrender of airguns or antique firearms

[Repealed]

Section 41: repealed, on 25 June 2020, by section 64 of the Arms Legislation Act 2020 (2020 No 23).

Part 7
Direct access by certain government agencies to registry

Part 7: inserted, on 24 June 2023, by section 63 of the Arms Legislation Act 2020 (2020 No 23).

38Y Interpretation

In this Part,—

accessing agency means—

(a) the Department of Conservation; and

(b) the Ministry of Foreign Affairs and Trade; and

(c) the New Zealand Customs Service

arms item has the meaning given in section 2(1) and includes, as an additional class of item, ammunition

direct access, in relation to the registry, means to do either or both of the following (whether remotely or otherwise):

(a) search the registry:

(b) copy any information stored in the registry

import and export information, in relation to a licence holder, means details relating to—

(a) any permit to import issued to the licence holder under section 18(2) or (4):

(b) any class or classes of arms items exported by the licence holder

licence holder means—

(a) a person who is the holder of a firearms licence; and

(b) a person who at any time held a firearms licence

licence information, in relation to a licence holder, means—

(a) the licence holder's—

(i) name; and

(ii) date of birth; and

(iii) residential address; and

(b) the following details about the licence holder's firearms licence:

(i) the firearms licence number; and

(ii) the date of expiry of the firearms licence; and

(iii) any endorsements on the firearms licence.

Section 38Y: inserted, on 24 June 2023, by section 63 of the Arms Legislation Act 2020 (2020 No 23).

38Z Relationship between this Part and other law

This Part does not prevent or limit the collection, use, or disclosure of information that—

(a) is authorised or required by or under any enactment; or

(b) is permitted under any enactment.

Section 38Z: inserted, on 24 June 2023, by section 63 of the Arms Legislation Act 2020 (2020 No 23).

38ZA Direct access to licence information

(1) The Department of Conservation may have direct access to a licence holder's licence information recorded in the registry.

(2) The purpose of the direct access is to provide administrative assistance to the Director-General of Conservation in relation to the issue, under section 38 of the Conservation Act 1987, of permits for hunting.

Section 38ZA: inserted, on 24 June 2023, by section 63 of the Arms Legislation Act 2020 (2020 No 23).

38ZB Direct access to import and export information recorded in registry

(1) The Ministry of Foreign Affairs and Trade and the New Zealand Customs Service may have direct access to a licence holder's import and export information recorded in the registry.

(2) The purpose of the direct access is to assist the agencies in performing or exercising their functions, duties, and powers in relation to the movement of lawfully permitted and lawfully possessed arms items.

Section 38ZB: inserted, on 24 June 2023, by section 63 of the Arms Legislation Act 2020 (2020 No 23).

38ZC Direct access must be in accordance with direct access agreement

All direct access authorised by section 38ZA or 38ZB must be in accordance with a written direct access agreement entered into between—

(a) the Minister responsible for the accessing agency; and

(b) the Minister of Police.

Section 38ZC: inserted, on 24 June 2023, by section 63 of the Arms Legislation Act 2020 (2020 No 23).

38ZD Matters to which Ministers must have regard before entering into direct access agreement

Before entering into a direct access agreement, the Ministers referred to in section 38ZC must be satisfied—

(a) that—

(i) in the case of direct access authorised by section 38ZA, the direct access will enable the Director-General of Conservation to more effectively or efficiently issue permits for hunting; or

(ii) in the case of direct access authorised by section 38ZB, the direct access will enable the Ministry of Foreign Affairs and Trade or the New Zealand Customs Service to perform and exercise their functions, duties, and powers more effectively or efficiently; and

(b) that there are adequate safeguards to protect the privacy of individuals, including that the proposed compliance and audit requirements for the direct access, use, disclosure, and retention of the information are sufficient; and

(c) that the agreement includes appropriate procedures for direct access, use, disclosure, and retention of the information.

Section 38ZD: inserted, on 24 June 2023, by section 63 of the Arms Legislation Act 2020 (2020 No 23).

38ZE Consultation before entering into direct access agreement

(1) Before entering into a direct access agreement, the Ministers referred to in section 38ZC must consult and invite comment on the proposed agreement from—

(a) the Privacy Commissioner; and

(b) the advisory group established under section 88.

(2) When consulted on a direct access agreement, the Privacy Commissioner must have particular regard to the matters that the Ministers need to be satisfied of before entering into the agreement that are specified in section 38ZD(b) and (c).

(3) The Ministers must have regard to any comment received from the Privacy Commissioner and the advisory group on the proposed agreement.

Section 38ZE: inserted, on 24 June 2023, by section 63 of the Arms Legislation Act 2020 (2020 No 23).

38ZF Content of direct access agreements

A direct access agreement must specify—

(a) the particular information in relation to licence holders that may be accessed:

(b) the particular purpose or purposes for which the information may be accessed:

(c) the particular function, duty, or power being, or to be, performed or exercised by the accessing agency for which the information is required:

(d) the mechanism by which the information is to be accessed:

(e) the position or designation of the person or persons in the accessing agency who may access the information:

(f) the records to be kept in relation to each occasion on which the registry is accessed:

(g) the safeguards that are to be applied for protecting information:

(h) the requirements relating to storage and disposal of information obtained from the registry:

(i) that the accessing agency may use the information only in accordance with the purposes for which it was accessed:

(j) the requirements for reviewing the agreement:

(k) the requirement to regularly audit access to the registry.

Section 38ZF: inserted, on 24 June 2023, by section 63 of the Arms Legislation Act 2020 (2020 No 23).

38ZG Variation of direct access agreement

Sections 38ZD and 38ZE apply with any necessary modifications in respect of a proposal to enter into an agreement varying a direct access agreement.

Section 38ZG: inserted, on 24 June 2023, by section 63 of the Arms Legislation Act 2020 (2020 No 23).

38ZH Publication of direct access agreements

(1) An agreement, and all variations to the agreement, must be published on—

(a) an Internet site maintained by or on behalf of the accessing agency; and

(b) an Internet site maintained by or on behalf of the Police.

(2) However, subsection (1) does not apply to—

(a) an agreement or a variation of an agreement that may be withheld on a request made under the Official Information Act 1982:

(b) a provision of an agreement or a variation of an agreement that may be withheld on a request made under the Official Information Act 1982.

(3) If, in reliance on subsection (2)(a), an agreement or a variation of an agreement is not published, a summary of the agreement or variation of the agreement must be published on—

(a) an Internet site maintained by or on behalf of the accessing agency; and

(b) an Internet site maintained by or on behalf of the Police.

Section 38ZH: inserted, on 24 June 2023, by section 63 of the Arms Legislation Act 2020 (2020 No 23).

Part 7A
Firearms prohibition orders

Part 7A: inserted, on 15 November 2022, by section 8 of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

39 Interpretation

In this Part,—

associate of a gang or an organised criminal group means an individual who associates with a gang or an organised criminal group

criminal activity means an activity that constitutes the commission of an offence

firearm or related item means any firearm, pistol, pistol carbine conversion kit, restricted weapon, airgun, imitation firearm, magazine, part of a firearm or restricted weapon, prohibited item, or ammunition

insignia, in relation to a gang or an organised criminal group,—

(a) means a sign, symbol, or representation commonly displayed to denote membership of, or an affiliation with, a gang or an organised criminal group, not being a tattoo; and

(b) includes any item or thing to which a sign, symbol, or representation referred to in paragraph (a) is attached or affixed (for example, clothing or a vehicle)

member of a gang or an organised criminal group includes the following:

(a) an individual who is a prospective member or nominee:

(b) an individual who demonstrates affiliation to a gang or an organised criminal group by displaying the gang's or group's insignia:

(c) an individual who is involved in the affairs of a gang or an organised criminal group for the likely purpose of participating in a criminal activity

prospective member or nominee, in relation to a gang or an organised criminal group, means a person who is a member of the gang or the organised criminal group but who does not have full membership status.

Section 39: replaced, on 2 March 2025, by section 6 of the Firearms Prohibition Orders Legislation Amendment Act 2024 (2024 No 34).

39A When FPO may be made

(1) This section applies when a court is sentencing an offender who—

(a) has been convicted of—

(i) an offence under section 16(4), 16A, 44A, 50A, 50D, 51A, 53A, 54, 54A, 55, 55A, 55D, 55E, or 55F; or

(ii) a specified violent offence as defined in section 4 of the Victims' Orders Against Violent Offenders Act 2014; or

(iii) an offence under section 98A, 189A, 216Q, or 308A of the Crimes Act 1961; or

(iv) an offence under any of sections 6A to 10 or sections 12 to 13E of the Terrorism Suppression Act 2002; and

(b) committed the offence—

(i) when aged 18 years or over; and

(ii) after 15 November 2022.

(1A) This section also applies when a court is sentencing an offender who—

(a) has been convicted of—

(i) an offence under any of the following Acts that is punishable by a term of imprisonment of 1 year or more:

(A) this Act:

(B) the Misuse of Drugs Act 1975:

(C) the Psychoactive Substances Act 2013; or

(ii) an offence against any of the following provisions of the Crimes Act 1961:

(A) the provisions of Part 8 (crimes against the person):

(B) the provisions of Part 10 (crimes against rights of property):

(C) the provisions of Part 11 (threatening, conspiring, and attempting to commit offences); and

(b) committed the offence—

(i) when aged 18 years or over; and

(ii) after the commencement of this subsection; and

(c) at the time of committing the offence was—

(i) a member of a gang or an organised criminal group; or

(ii) an associate of a gang or an organised criminal group.

(2) The court may make an FPO against the offender if the court is satisfied, on the balance of probabilities, that the imposition of an FPO is necessary, reasonable, and appropriate to assist in managing the risk that the offender poses to public safety.

Section 39A: inserted, on 15 November 2022, by section 8 of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

Section 39A(1)(a)(iii): replaced, on 5 April 2023, by section 8 of the Criminal Activity Intervention Legislation Act 2023 (2023 No 7).

Section 39A(1)(a)(iii): amended, on 26 May 2026, by section 7 of the Crimes Legislation (Stalking and Harassment) Amendment Act 2025 (2025 No 72).

Section 39A(1)(b)(ii): replaced, on 2 March 2025, by section 7(1) of the Firearms Prohibition Orders Legislation Amendment Act 2024 (2024 No 34).

Section 39A(1A): inserted, on 2 March 2025, by section 7(2) of the Firearms Prohibition Orders Legislation Amendment Act 2024 (2024 No 34).

39B Effect of FPO

(1) An FPO made against an offender prohibits the offender from accessing, possessing, or using any firearm or related item.

(2) An FPO is subject to—

(a) the standard conditions set out in section 39C, as may be varied or modified under section 39D by the court making the FPO; and

(b) any special conditions imposed under section 39E by the court making the FPO.

Section 39B: inserted, on 15 November 2022, by section 8 of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

39C Standard conditions of FPO

(1) The standard conditions of an FPO are that the offender against whom the order is made must not—

(a) associate with or, in any place (including a vehicle), otherwise be in the presence of a person who has with them any firearms or related items that are not in secure storage:

(b) reside at any premises in which any firearms or related items are stored:

(c) join, or remain a member of, any shooting club (including an airsoft shooting club) or firearms club of any kind, visit the premises of such clubs, or attend the events of such clubs:

(d) attend any shooting range or shooting gallery:

(e) attend an activity of any kind that involves the use of any firearms or related items:

(f) visit any premises or place at which firearms or related items are manufactured, sold, repaired, hired, lent, or otherwise supplied.

(2) For the purposes of subsection (1)(b), a person **resides** at any particular premises if they reside at the premises for at least 2 days (whether consecutive or not) in any period of 12 months.

Section 39C: inserted, on 15 November 2022, by section 8 of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

39D Varying or modifying standard conditions of FPO

(1) When making an FPO against an offender, the court may vary or modify the standard conditions of the FPO set out in section 39C having regard to—

(a) the nature and seriousness of the offence in respect of which the offender has been convicted; and

(b) the circumstances of the offending; and

(c) the offender's personal circumstances (for example, the effect the standard conditions would have on the offender's employment opportunities); and

(d) any other matters that the court considers relevant.

(2) The court may not vary or modify the standard condition in section 39C(1)(b) unless it is satisfied that there are sufficient safeguards in place to ensure that the offender is not reasonably likely to obtain access to the firearms or related items stored on the premises.

(3) For the purposes of subsection (2), the court may take into account any proposal agreed between the responsible person and a member of the Police for the Commissioner to prescribe conditions on the responsible person's firearms licence.

(4) In subsection (3), **responsible person** means the firearms licence holder responsible for the secure storage of the firearms and related items in the premises referred to in section 39C(1)(b).

Section 39D: inserted, on 15 November 2022, by section 8 of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

39E Special conditions of FPO

When making an FPO against an offender, the court may impose any 1 or more conditions, additional to the standard conditions, that the court considers are reasonably necessary to prevent the offender from accessing, possessing, or using any firearms or related items.

Section 39E: inserted, on 15 November 2022, by section 8 of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

39F Commencement and duration of FPO

(1) If a court makes an FPO when imposing a non-custodial sentence on the offender, the FPO commences when it is made.

(2) If a court makes an FPO when imposing a custodial sentence on the offender, the FPO commences when the offender is released from custody (not being a temporary release under section 62 of the Corrections Act 2004).

(3) An FPO continues in force for a period of 10 years unless sooner revoked by a court.

Section 39F: inserted, on 15 November 2022, by section 8 of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

39FA Varying, modifying, or revoking FPOs

(1) A person who is subject to an FPO may, at any time after the FPO has been in force for 5 years, apply to the court that made the FPO for an order—

(a) varying or modifying any of the conditions of the FPO; or

(b) revoking the FPO.

(2) An application under subsection (1)(a) or (b) may not be made in respect of an FPO if an application has previously been made under subsection (1)(a) or (b) in respect of the FPO within the previous 2 years.

(3) On an application made under subsection (1)(a), the court may vary or modify any standard or special condition of the FPO if it is satisfied, on the balance of probabilities, that the condition is no longer reasonably necessary to prevent the applicant from accessing, possessing, or using any firearms or related items.

(4) On an application made under subsection (1)(b), the court may revoke the FPO if it is satisfied, on the balance of probabilities, that the FPO is no longer necessary, reasonable, and appropriate to assist in managing the risk that the applicant poses to public safety.

Section 39FA: inserted, on 2 March 2025, by section 8 of the Firearms Prohibition Orders Legislation Amendment Act 2024 (2024 No 34).

39G Varying, modifying, or replacing FPO on subsequent conviction

(1) This section applies if—

(a) a court is sentencing an offender in the circumstances described in section 39A(1) or (1A); and

(b) the offender is already subject to an FPO in respect of previous offending.

(2) The court may—

(a) vary or modify any of the existing conditions of the FPO; or

(b) impose any special conditions, or additional special conditions; or

(c) revoke the FPO and make a new FPO.

Section 39G: replaced, on 2 March 2025, by section 9 of the Firearms Prohibition Orders Legislation Amendment Act 2024 (2024 No 34).

39H Appeal against decision to make or not make FPO is appeal against sentence

An FPO is a sentence, and subpart 4 of Part 6 of the Criminal Procedure Act 2011 (appeals against sentence) applies to any decision to make or not make an FPO.

Section 39H: inserted, on 15 November 2022, by section 8 of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

Part 8
Offences

Part 8 heading: inserted, on 25 June 2020, by section 66 of the Arms Legislation Act 2020 (2020 No 23).

Offences

[Repealed]

Heading: repealed, on 25 June 2020, by section 66 of the Arms Legislation Act 2020 (2020 No 23).

42 Offences in respect of licences

A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 2 years, or to a fine not exceeding $20,000, if the person,—

(a) with intent to deceive,—

(i) adds to a licence any words or figures extraneous to the licence as issued; or

(ii) alters on or erases from any licence any words or figures; or

(iii) uses or retains any licence—

(A) to which have been added any words or figures extraneous to the licence as issued; or

(B) from which any words or figures have been erased from the licence as issued; or

(C) on which any words or figures on the licence as issued have been altered; or

(b) being the holder of a licence, wilfully parts with possession of that licence in order that it may be used by another person; or

(c) uses or attempts to use a licence issued in the name of another person with the intention of procuring the possession of any firearm, airgun, pistol, restricted weapon, magazine, or ammunition; or

(d) supplies particulars or answers in any application for a licence under this Act, knowing them to be incorrect or misleading.

Section 42: replaced, on 25 June 2020, by section 67 of the Arms Legislation Act 2020 (2020 No 23).

42A Offence to breach firearms prohibition order

(1) A person commits an offence if the person breaches a firearms prohibition order by—

(a) accessing, possessing, or using any firearm, pistol, pistol carbine conversion kit, restricted weapon, airgun, imitation firearm, magazine, part of a firearm or restricted weapon, prohibited item, or ammunition; or

(b) failing, without reasonable excuse, to comply with any condition of the order.

(2) A person who is convicted of an offence under subsection (1)(a) is liable,—

(a) if the person accesses, possesses, or uses a prohibited firearm, to a term of imprisonment not exceeding 7 years:

(b) in any other case, to a term of imprisonment not exceeding 5 years.

(3) A person who is convicted of an offence under subsection (1)(b) is liable to a term of imprisonment not exceeding 2 years.

Section 42A: inserted, on 15 November 2022, by section 10 of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

42B Offence to supply firearms, etc, to person subject to firearms prohibition order

(1) A person must not supply, or give possession of, any firearm, pistol, pistol carbine conversion kit, restricted weapon, airgun, imitation firearm, magazine, part of a firearm or restricted weapon, prohibited item, or ammunition to another person knowing that the other person is subject to a firearms prohibition order.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction,—

(a) if the person supplies or gives possession of a prohibited firearm, to a term of imprisonment not exceeding 7 years:

(b) in any other case, to a term of imprisonment not exceeding 5 years.

Section 42B: inserted, on 15 November 2022, by section 10 of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

43 Selling or supplying firearm or airgun to unlicensed person

(1) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 2 years, or to a fine not exceeding $20,000, if the person—

(a) sells or supplies a firearm (other than a pistol, prohibited item, or restricted weapon) to any person who is not the holder of a firearms licence, a dealer's licence, or a permit issued for the purposes of section 16(1); or

(b) sells or supplies an airgun to any individual who is under the age of 18 years and is not the holder of a firearms licence.

(2) It is a defence to a prosecution for an offence against subsection (1)(a) if the defendant proves—

(a) that the defendant took reasonable steps to ascertain whether the person to whom they sold or supplied the firearm (**A**) was the holder of a firearms licence; or

(b) that—

(i) the firearm was sold or supplied to A for use under the immediate supervision of another person, not being a visitor, who holds a firearms licence (**B**); and

(ii) at all times, while A was in possession of the firearm, A was under the immediate supervision of B.

(3) It is a defence to a prosecution for an offence against subsection (1)(b) if—

(a) the defendant proves that the defendant took reasonable steps to ascertain whether the individual to whom they sold or supplied the airgun (not being a specially dangerous airgun) (**C**) was the holder of a firearms licence and was a person of or over the age of 18 years; or

(b) the defendant proves—

(i) that the airgun was sold or supplied to C for use under the immediate supervision of another person (**D**) who holds a firearms licence and was a person of or over the age of 18 years; and

(ii) that at all times while C was in possession of the airgun, C was under the immediate supervision of D.

Section 43: replaced, on 25 June 2020, by section 68 of the Arms Legislation Act 2020 (2020 No 23).

43AA Selling or supplying prohibited ammunition

A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 2 years if the person, without reasonable excuse, sells or supplies prohibited ammunition.

Section 43AA: replaced, on 25 June 2020, by section 69 of the Arms Legislation Act 2020 (2020 No 23).

43A Mail order or Internet sale of arms items or ammunition

(1) A person must not sell by mail order or on the Internet any item specified in subsection (2), otherwise than under a written order—

(a) signed by the purchaser; and

(b) signed by a member of the Police stating that the member of the Police—

(i) has inspected the purchaser's firearms licence; and

(ii) has inspected, in the case of an item specified in subsection (2)(d), the permit issued to the purchaser under section 35AAA; and

(iii) is satisfied that the purchaser is a fit and proper person to purchase the item; and

(c) recording, in the case of the sale of an item specified in subsection (2)(a), (b), (c), or (d), the marking on the item.

(2) The items referred to in subsection (1) are—

(a) non-prohibited firearms:

(b) non-prohibited magazines:

(c) non-prohibited parts:

(d) pistol carbine conversion kits:

(e) airguns (other than an airgun for use in airsoft or paintball sports):

(f) ammunition (other than ammunition for a firearm of the kind described in section 22(1)(a), (b), or (c).

(3) A person must not sell by mail order or on the Internet any prohibited item, pistol, or restricted weapon, unless—

(a) the purchaser has obtained an endorsement on their dealer's licence or firearms licence that authorises them to possess a prohibited item, pistol, or restricted weapon; and

(b) the purchaser has, in the case of a prohibited firearm, prohibited magazine, pistol, or restricted weapon, obtained a permit to possess that prohibited firearm, prohibited magazine, pistol, or restricted weapon; and

(c) the prohibited item, pistol, or restricted weapon is delivered by a courier specified in the permit referred to in paragraph (b) or, in the case of a prohibited part, a form specified by the Police.

(4) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding $10,000, if the person, without reasonable excuse, contravenes subsection (1) or (3).

Section 43A: replaced, on 25 June 2020, by section 70 of the Arms Legislation Act 2020 (2020 No 23).

43B Restriction on sales of ammunition

[Repealed]

Section 43B: repealed, on 24 December 2020, by section 71 of the Arms Legislation Act 2020 (2020 No 23).

44 Selling or supplying pistol or restricted weapon to person who does not hold permit to import or permit to possess

(1) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 3 years, or to a fine not exceeding $30,000, if the person sells or supplies a pistol or restricted weapon to any person other than a person who is authorised—

(a) by a permit issued for the purposes of section 16(1) to bring or cause to be brought or sent into New Zealand that pistol or restricted weapon; or

(b) by a permit issued under section 35 to possess that pistol or restricted weapon.

(2) It is a defence to a prosecution for an offence against subsection (1) if—

(a) the defendant proves that they took reasonable steps to ascertain whether the person to whom they sold or supplied the pistol or restricted weapon (**A**) was the holder of a permit of the kind described in subsection (1)(a) or (b); or

(b) the defendant proves, in the case of a prosecution relating to the sale or supply of a pistol,—

(i) that the pistol was supplied to A for use—

(A) on a range of an incorporated pistol shooting club for the time being recognised by the Commissioner for the purposes of section 29; and

(B) under the immediate supervision of another person (**B**) who holds a firearms licence bearing an endorsement permitting them to have that pistol or a pistol of that kind; and

(ii) that, at all times while A was in possession of the pistol, A was—

(A) on a range of the kind described in subparagraph (i)(A); and

(B) under the immediate supervision of B.

Section 44: replaced, on 25 June 2020, by section 72 of the Arms Legislation Act 2020 (2020 No 23).

44AA Unlawful sale or supply of pistol carbine conversion kit

(1) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 3 years, or to a fine not exceeding $30,000, if the person sells or supplies a pistol carbine conversion kit to any person other than a person who is authorised—

(a) by a permit issued under section 18AA for the purposes of section 16(1)(d) to bring or cause to be brought or sent into New Zealand that pistol carbine conversion kit; or

(b) by a permit issued under section 35AAA to possess that pistol carbine conversion kit.

(2) It is a defence to a prosecution for an offence against subsection (1) if the defendant proves that they took reasonable steps to ascertain whether the person to whom they sold or supplied the pistol carbine conversion kit was the holder of a permit of the kind described in subsection (1)(a) or (b).

(3) It is also a defence to a prosecution for an offence against subsection (1) if the defendant proves—

(a) that the pistol carbine conversion kit was supplied to a person (**A**) for use—

(i) on a certified pistol range; and

(ii) under the immediate supervision of another person (**B**) who holds a firearms licence that bears an endorsement made under section 30 permitting B to possess a pistol; and

(b) that, at all times while A was in possession of the pistol carbine conversion kit, A was—

(i) on a certified pistol range; and

(ii) under the immediate supervision of B.

Section 44AA: inserted, on 25 June 2020, by section 72 of the Arms Legislation Act 2020 (2020 No 23).

44A Offence to sell or supply prohibited firearm or prohibited magazine

(1) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 5 years who, without reasonable excuse, sells or supplies a prohibited firearm or prohibited magazine to a person other than a person who holds—

(a) a permit issued for the purposes of section 16(1) to bring or cause to be brought or sent into New Zealand that prohibited firearm or prohibited magazine; or

(b) a permit issued under section 35A to possess that prohibited firearm or prohibited magazine.

(2) It is not an offence against this section to sell or supply a semi-automatic pistol to a person in the person's capacity referred to in section 29(2)(b), (c), (d), or (e), if that person has been issued with—

(a) a permit, under section 18, to import a pistol; or

(b) a permit, under section 35, to possess a pistol.

Section 44A: inserted, on 12 April 2019, by section 48 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 44A(2): inserted, on 25 June 2020, by section 73 of the Arms Legislation Act 2020 (2020 No 23).

44B Offence to sell or supply prohibited part

Every person commits an offence and is liable to imprisonment for a term not exceeding 2 years who, without reasonable excuse, sells or supplies a prohibited part to a person other than a person who holds an endorsement to possess a prohibited firearm.

Section 44B: inserted, on 12 April 2019, by section 48 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

45 Carrying or possessing firearms, etc, except for lawful, proper, and sufficient purpose

(1) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 4 years or to a fine not exceeding $5,000 or to both who, except for some lawful, proper, and sufficient purpose,—

(a) carries; or

(b) is in possession of—

any firearm, airgun, pistol, prohibited magazine, restricted weapon, or explosive.

(2) In any prosecution for an offence against subsection (1) in which it is proved that the defendant was carrying or in possession of any firearm, airgun, pistol, prohibited magazine, restricted weapon, or explosive, as the case may require,

the burden of proving the existence of some lawful, proper, and sufficient purpose shall lie on the defendant.

Compare: 1958 No 21 s 16(1), (3)

Section 45 heading: replaced, on 12 April 2019, by section 49(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 45(1): amended, on 12 April 2019, by section 49(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 45(1): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 45(1): amended, on 1 November 1992, by section 23(1) of the Arms Amendment Act 1992 (1992 No 95).

Section 45(2): amended, on 12 April 2019, by section 49(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 45(2): amended, on 8 March 1985, by section 2 of the Arms Amendment Act 1985 (1985 No 5).

46 Carrying of imitation firearm, except for lawful, proper, and sufficient purpose

(1) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 1 year, or to a fine not exceeding $4,000, if the person, except for some lawful, proper, and sufficient purpose, carries an imitation firearm.

(2) In any prosecution for an offence against subsection (1) in which it is proved that the defendant was carrying an imitation firearm, the defendant has the burden of proving the existence of some lawful, proper, and sufficient purpose.

Section 46: replaced, on 25 June 2020, by section 74 of the Arms Legislation Act 2020 (2020 No 23).

47 Being in charge of firearm, airgun, pistol, or restricted weapon while under the influence of drink or drug

Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding $3,000 or to both who, while in charge of any firearm, airgun, pistol, or restricted weapon, is under the influence of drink or a drug to such an extent as to be incapable of having proper control of the firearm, airgun, pistol, or restricted weapon.

Compare: 1958 No 21 s 16(2), (3)

Section 47: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 47: amended, on 1 November 1992, by section 24 of the Arms Amendment Act 1992 (1992 No 95).

48 Discharging firearm, airgun, pistol, or restricted weapon in or near dwellinghouse or public place

A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding $10,000, if the person,

without reasonable excuse, discharges a firearm, airgun, pistol, or restricted weapon in or near a dwellinghouse or a public place so as to—

(a) endanger property; or

(b) endanger, annoy, or frighten any person.

Section 48: replaced, on 25 June 2020, by section 75 of the Arms Legislation Act 2020 (2020 No 23).

49 Using, discharging, or carrying certain firearms except for some lawful, proper, or sufficient purpose

(1) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding $1,000 or to both who, except for some lawful, proper, and sufficient purpose, uses, discharges, or carries anywhere any firearm of the kind known as—

(a) a bolt gun or a stud gun:

(b) a humane killer:

(c) a tranquilliser gun:

(d) a stock marking pistol:

(e) an underwater spear gun:

(f) a flare pistol:

(g) a deer net gun:

(h) a pistol that is part of rocket or line throwing equipment:

(i) a miniature cannon.

(2) In any prosecution for an offence against subsection (1) in which it is proved that the defendant used, discharged, or carried a firearm of a kind described in that subsection, the burden of proving the existence of some lawful, proper, and sufficient purpose shall lie on the defendant.

Section 49(1): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

49A Unlawful possession of firearm, prohibited magazine, prohibited part, or airgun after revocation of firearms licence

Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 1 year or to a fine not exceeding $4,000 or to both who, being a person whose firearms licence has been revoked, is in possession of a firearm, prohibited magazine, prohibited part, or airgun at a time when that person is not the holder of a firearms licence, and is not a person authorised, expressly or by implication, by or pursuant to this Act, to be in possession of that firearm, prohibited magazine, prohibited part, or airgun.

Section 49A: inserted, on 1 November 1992, by section 26 of the Arms Amendment Act 1992 (1992 No 95).

Section 49A heading: amended, on 12 April 2019, by section 50(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 49A: amended, on 12 April 2019, by section 50(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 49A: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

50 Unlawful possession of pistol or restricted weapon

(1) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 3 years or to a fine not exceeding $4,000 or to both who—

(a) is in possession of a pistol and is not a person authorised or permitted, expressly or by implication, by or pursuant to this Act, to be in possession of that pistol; or

(b) is in possession of a restricted weapon and is not a person authorised or permitted, expressly or by implication, by or pursuant to this Act, to be in possession of that restricted weapon.

(c) *[Repealed]*

(2) It is not an offence against this section to be in possession of a pistol that is an antique firearm.

(3) In any prosecution for an offence against subsection (1) in which it is proved that the defendant was in possession of a pistol or restricted weapon, the burden of proving that the defendant was authorised or permitted, expressly or by implication, by or pursuant to this Act to be in possession of that pistol or restricted weapon shall lie on the defendant.

(4) It is a good defence to a prosecution for an offence against subsection (1)(a) if the defendant proves—

(a) that he is the holder of a firearms licence; and

(b) that he has owned the firearm to which the charge relates since before 16 May 1969; and

(c) that, immediately before 16 May 1969, he was registered under section 9 of the Arms Act 1958 as the owner of that firearm; and

(d) that, although that firearm is less than 762 millimetres in length, it has not been reduced below that length since 15 May 1969 and is not designed or adapted to be held and fired with 1 hand.

(5) It is a good defence to a prosecution for an offence against subsection (1)(a) if the defendant proves—

(a) that the pistol was in his possession for use both—

(i) on the range of an incorporated pistol club for the time being recognised by the Commissioner for the purposes of section 29; and

(ii) under the immediate supervision of the holder of a firearms licence bearing an endorsement permitting that person to have possession of that pistol or a pistol of that kind; and

(b) that at all times while the defendant was in possession of the pistol he was both on such a range and under the immediate supervision of such a person.

Compare: 1958 No 21 ss 7A, 7B(2), 12(1), (4), 23A; 1962 No 59 s 3; 1971 No 46 s 3; 1974 No 68 ss 4, 8; 1976 No 151 s 5; SR 1959/5 rr 12(4), 22A; SR 1964/32 rr 5, 7

Section 50 heading: substituted, on 1 November 1992, by section 27 of the Arms Amendment Act 1992 (1992 No 95).

Section 50 heading: amended, on 12 April 2019, by section 51(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 50(1): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 50(1)(c): repealed, on 12 April 2019, by section 51(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 50(3): substituted, on 1 November 1992, by section 27(2) of the Arms Amendment Act 1992 (1992 No 95).

Section 50(3): amended, on 12 April 2019, by section 51(3) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

50AA Unlawful possession of pistol carbine conversion kit

(1) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 3 years or to a fine not exceeding $4,000, or both, if the person—

(a) is in possession of a pistol carbine conversion kit; and

(b) is not a person authorised or permitted, expressly or by implication, by or under this Act to be in possession of that pistol carbine conversion kit.

(2) In any prosecution for an offence against subsection (1) in which it is proved that the defendant was in possession of a pistol carbine conversion kit, the defendant has the burden of proving that they were authorised or permitted, expressly or by implication, by or under this Act to be in possession of the pistol carbine conversion kit.

(3) It is a defence to a prosecution for an offence against subsection (1) if the defendant proves that the pistol carbine conversion kit was in their possession for use—

(a) on a certified range; and

(b) under the immediate supervision of another person who holds a firearms licence bearing an endorsement made under section 30 permitting them to possess a pistol.

Section 50AA: inserted, on 25 June 2020, by section 76 of the Arms Legislation Act 2020 (2020 No 23).

50A Unlawful possession of prohibited firearm

Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 5 years who—

(a) is in possession of a prohibited firearm; and

(b) is not authorised or permitted expressly by or pursuant to this Act to be in possession of that prohibited firearm.

Section 50A: inserted, on 12 April 2019, by section 52 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

50B Unlawful possession of prohibited magazine

Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 2 years who—

(a) is in possession of a prohibited magazine; and

(b) is not authorised or permitted expressly by or pursuant to this Act to be in possession of that prohibited magazine.

Section 50B: inserted, on 12 April 2019, by section 52 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

50C Unlawful possession of prohibited part

Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 2 years who without reasonable excuse is in possession of a prohibited part and who is not authorised by an endorsement made under section 30B to possess a prohibited firearm.

Section 50C: inserted, on 12 April 2019, by section 52 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

50CA Unlawful possession of prohibited ammunition

A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 2 years if the person—

(a) is in possession of prohibited ammunition; and

(b) is not authorised or permitted expressly by or pursuant to this Act to be in possession of the prohibited ammunition.

Section 50CA: inserted, on 25 June 2020, by section 77 of the Arms Legislation Act 2020 (2020 No 23).

50D Unlawfully carrying or possessing prohibited firearm in public place

Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 5 years who, without lawful purpose, carries or possesses a prohibited firearm in a public place.

Section 50D: inserted, on 12 April 2019, by section 52 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 50D: amended, on 25 June 2020, by section 78 of the Arms Legislation Act 2020 (2020 No 23).

51 Unlawful carriage or possession in public place of firearm, airgun, pistol, ammunition, explosive, or restricted weapon

(1) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 3 years, or a fine not exceeding $4,000, or both, who, without lawful purpose,—

(a) carries a firearm (other than a prohibited firearm), an airgun, a pistol, a restricted weapon, ammunition, or an explosive in a public place; or

(b) possesses a firearm (other than a prohibited firearm), an airgun, a pistol, a restricted weapon, ammunition, or an explosive in a public place.

(2) In any prosecution for an offence against subsection (1), in which it is proved that the defendant was carrying in any public place or had in his possession in any public place any firearm, airgun, pistol, ammunition, explosive, or restricted weapon, the burden of proving the existence of some lawful purpose shall lie on the defendant.

Compare: 1958 No 21 s 16B; 1974 No 68 s 7

Section 51(1): replaced, on 12 April 2019, by section 53 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

51A Presenting prohibited firearm at other person

(1) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 7 years who, unless for some lawful purpose, presents at any other person—

(a) a prohibited firearm; or

(b) anything that, in the circumstances, is likely to lead that person to believe it to be a prohibited firearm.

(2) For the purposes of an offence against subsection (1)(a), it does not matter whether the prohibited firearm is loaded or capable at the time of the offence of discharging any shot, bullet, missile, or other projectile.

Section 51A: inserted, on 12 April 2019, by section 54 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

52 Presenting firearm, airgun, pistol, or restricted weapon at other person

(1) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding $10,000, who, except for some lawful and sufficient purpose, presents a firearm (other than a prohibited firearm), airgun, pistol, or restricted weapon (whether or not the firearm, airgun, pistol, or restricted weapon is loaded or capable at the time of the offence of discharging any shot, bullet, missile, or other projectile) at any other person.

(2) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding $10,000, who, except for some lawful or sufficient purpose, presents at any person anything

which, in the circumstances, is likely to lead that person to believe that it is a firearm (other than a prohibited firearm), airgun, pistol, or restricted weapon.

Compare: 1958 No 21 s 18; 1964 No 36 s 7

Section 52(1): amended, on 25 June 2020, by section 79 of the Arms Legislation Act 2020 (2020 No 23).

Section 52(1): amended, on 12 April 2019, by section 55(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 52(1): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 52(2): amended, on 25 June 2020, by section 79 of the Arms Legislation Act 2020 (2020 No 23).

Section 52(2): amended, on 12 April 2019, by section 55(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 52(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

53 Careless use of firearm, airgun, pistol, or restricted weapon

(1) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 3 years or to a fine not exceeding $4,000 or to both who causes bodily injury to or the death of any person by carelessly using a firearm, airgun, pistol, or restricted weapon.

(2) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 3 years or to a fine not exceeding $4,000 or to both who, being a person who has in his charge or under his control a firearm, airgun, pistol, or restricted weapon loaded with a shot, bullet, cartridge, missile, or projectile, whether in its breech, barrel, chamber, or magazine, leaves that firearm, airgun, pistol, or restricted weapon in any place in such circumstances as to endanger the life of any person without taking reasonable precautions to avoid such danger.

(3) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 3 years or to a fine not exceeding $4,000 or to both who, without reasonable cause, discharges or otherwise deals with a firearm, airgun, pistol, or restricted weapon in a manner likely to injure or endanger the safety of any person or with reckless disregard for the safety of others.

(4) It shall be no defence to the crime of manslaughter that the guilty act or omission proved against the person charged is an act or omission constituting an offence against this section.

Compare: 1958 No 21 ss 16(2A), 16A; 1964 No 36 s 6(1); 1966 No 18 s 4; 1971 No 46 s 4

Section 53(1): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 53(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 53(2): amended, on 8 March 1985, by section 3 of the Arms Amendment Act 1985 (1985 No 5).

Section 53(3): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 53(4): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

53A Use or attempted use of prohibited firearm to resist or prevent arrest or commit offence

(1) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 10 years who makes, or attempts to make, any use whatsoever of any prohibited firearm with intent to resist or prevent the lawful arrest or lawful detention of—

(a) themselves:

(b) any other person.

(2) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 5 years who, at the time of committing an offence punishable by imprisonment for a term of 3 years or more, possesses a prohibited firearm.

(3) It is a defence to a prosecution for an offence against subsection (2) if the defendant proves that they possessed the prohibited firearm for a lawful purpose.

Section 53A: inserted, on 12 April 2019, by section 56 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 53A(2): amended, on 25 June 2020, by section 80 of the Arms Legislation Act 2020 (2020 No 23).

54 Use or attempted use of airgun, etc, to resist or prevent arrest or commit offence

(1) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 7 years who makes or attempts to make any use whatsoever of any airgun, restricted weapon, imitation firearm, ammunition, or explosive with intent to resist or prevent the lawful arrest or detention of himself or another person.

(2) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 5 years who, at the time of his committing an offence punishable by imprisonment for a term of 3 years or more, has in his possession any firearm (other than a prohibited firearm), airgun, pistol, imitation firearm, restricted weapon, ammunition, or explosive.

(3) It is a good defence to a prosecution for an offence against subsection (2) if the defendant proves that he had the firearm, airgun, pistol, imitation firearm, restricted weapon, ammunition, or explosive in his possession for a lawful purpose.

Compare: 1958 No 21 s 18A; 1976 No 151 s 10(1)

Section 54 heading: replaced, on 12 April 2019, by section 57(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 54 heading: amended, on 25 June 2020, by section 81(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 54(1): amended, on 25 June 2020, by section 81(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 54(1): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 54(1): amended, on 28 October 1986, by section 7 of the Crimes Amendment Act (No 2) 1986 (1986 No 71).

Section 54(2): amended, on 12 April 2019, by section 57(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 54(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

54A Carrying prohibited firearm with criminal intent

Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 7 years who carries any prohibited firearm with intent to commit an offence.

Section 54A: inserted, on 12 April 2019, by section 58 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

55 Carrying firearm, etc, with criminal intent

(1) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 5 years who has with him any firearm (other than a prohibited firearm), airgun, pistol, imitation firearm, restricted weapon, ammunition, or explosive, with intent to commit an offence punishable by imprisonment for a term of 3 years or more or to resist arrest or prevent the arrest of another person, in either case while he has the firearm, airgun, pistol, imitation firearm, restricted weapon, ammunition, or explosive with him.

(2) In a prosecution for an offence against subsection (1), proof that the defendant had any firearm (other than a prohibited firearm), airgun, pistol, imitation firearm, restricted weapon, ammunition, or explosive with him and intended to commit an offence, or to resist or prevent arrest, is evidence that he intended to have it with him while doing so.

Compare: 1958 No 21 s 18B; 1976 No 151 s 10(1)

Section 55 heading: replaced, on 12 April 2019, by section 59(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 55(1): amended, on 12 April 2019, by section 59(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 55(1): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 55(2): amended, on 12 April 2019, by section 59(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

55A Offence to assemble prohibited firearm

Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 5 years who, without lawful purpose,—

(a) assembles a prohibited firearm; or

(b) converts a firearm into a prohibited firearm.

Section 55A: inserted, on 12 April 2019, by section 60 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

55B Offence of failing to produce prohibited firearm, etc, on demand or to permit inspection of prohibited firearm, etc

Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding $10,000, or both, who, having a dealer's licence or firearms licence endorsed under section 30 or 30B, fails without reasonable excuse to—

(a) produce a pistol, restricted weapon, prohibited firearm, or prohibited magazine in their possession to any member of the Police upon demand; or

(b) permit any member of the Police to inspect the pistol, restricted weapon, prohibited firearm, or prohibited magazine, or the place where it is kept, or to enter that place.

Section 55B: inserted, on 12 April 2019, by section 60 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 55B heading: amended, on 25 June 2020, by section 82(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 55B: amended, on 25 June 2020, by section 82(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 55B: amended, on 25 June 2020, by section 82(3) of the Arms Legislation Act 2020 (2020 No 23).

Section 55B: amended, on 25 June 2020, by section 82(4) of the Arms Legislation Act 2020 (2020 No 23).

55C Offence of failing to produce firearm other than pistol, restricted weapon, or prohibited firearm on demand or to permit inspection of firearm

A person commits an offence and is liable on conviction to a fine not exceeding $10,000 if the person, without reasonable excuse, fails to—

(a) produce a firearm (other than a pistol, restricted weapon, or prohibited firearm) in their possession to a member of the Police on demand; or

(b) permit a member of the Police to inspect a firearm (other than a pistol, restricted weapon, or prohibited firearm) or the place where it is kept, or to enter that place.

Section 55C: inserted, on 25 June 2020, by section 83 of the Arms Legislation Act 2020 (2020 No 23).

55D Offences relating to illegal manufacturing of certain arms items

(1) A person commits an offence if the person—

(a) intentionally manufactures or assembles a firearm or restricted weapon using parts that have been illegally manufactured, imported, or trafficked; or

(b) intentionally enters into a contract or an arrangement, or arrives at an understanding, to manufacture or assemble a firearm or restricted weapon using parts that have been illegally manufactured, imported, or trafficked; or

(c) does not hold a dealer's licence, but intentionally manufactures for sale, transfer, rental, or other supply—

(i) a firearm, pistol, prohibited firearm, or restricted weapon; or

(ii) a part of a firearm, pistol, prohibited firearm, or restricted weapon; or

(iii) a pistol carbine conversion kit; or

(d) does not hold a dealer's licence, but intentionally enters into a contract or an arrangement, or arrives at an understanding, to manufacture for sale, transfer, rental, or other supply—

(i) a firearm, pistol, prohibited firearm, or restricted weapon; or

(ii) a part of a firearm, pistol, prohibited firearm, or restricted weapon; or

(iii) a pistol carbine conversion kit; or

(e) intentionally fails to mark a firearm, part of a firearm, or pistol carbine conversion kit manufactured by the person in accordance with this Act or regulations made under section 74.

(2) A person who commits an offence against subsection (1) is liable on conviction to imprisonment for a term not exceeding 10 years.

(3) For the purposes of this section, anything that purports to be, or is intended to have the effect of, a contract, an arrangement, or an understanding must be treated as a contract, an arrangement, or an understanding (as the case may be).

Section 55D: inserted, on 25 June 2020, by section 83 of the Arms Legislation Act 2020 (2020 No 23).

55E Offences relating to illegal trafficking of firearms, parts, or ammunition

(1) A person commits an offence if the person intentionally—

(a) moves, delivers, sends, or transfers any firearm, pistol, pistol carbine conversion kit, prohibited firearm, or restricted weapon, or any part or ammunition, into New Zealand without lawful authority, or if the item is not marked in accordance with this Act and regulations made under sec-

tion 74, whether or not the person intends to export the item from New Zealand; or

(b) moves, delivers, sends, or transfers any firearm, pistol, pistol carbine conversion kit, prohibited firearm, or restricted weapon, or any part or ammunition, from New Zealand to another country, without lawful authority, or if the item is not marked in accordance with this Act and regulations made under section 74; or

(c) moves, delivers, sends, or transfers any firearm, pistol, pistol carbine conversion kit, prohibited firearm, or restricted weapon, or any part or ammunition, through or across New Zealand to another country without lawful authority; or

(d) moves, delivers, sends, or transfers any firearm, pistol, pistol carbine conversion kit, prohibited firearm, or restricted weapon, or any part or ammunition, into another country from or through New Zealand without lawful authority.

(2) A person commits an offence if the person intentionally enters into a contract or an arrangement, or arrives at an understanding, to do anything described in subsection (1)(a) to (d).

(3) A person who commits an offence against subsection (1) or (2) is liable on conviction to imprisonment for a term not exceeding 10 years.

(4) For the purposes of this section, anything that purports to be, or is intended to have the effect of, a contract, an arrangement, or an understanding must be treated as a contract, an arrangement, or an understanding (as the case may be).

(5) Any firearm, pistol, pistol carbine conversion kit, prohibited firearm, or restricted weapon, or any part or ammunition, that is imported within the meaning of the Customs and Excise Act 2018 and that arrives in New Zealand in any manner in contravention of this section, must be treated, on importation, as a prohibited good for the purposes of the Customs and Excise Act 2018, except sections 388 and 389 of that Act.

Section 55E: inserted, on 25 June 2020, by section 83 of the Arms Legislation Act 2020 (2020 No 23).

55F Offences relating to falsifying firearm markings

(1) A person commits an offence if the person intentionally—

(a) marks a complete firearm, or a complete but unassembled firearm, with any false identifying markings at the time of manufacture; or

(b) marks an imported firearm with any false identifying markings.

(2) A person who commits an offence against subsection (1) is liable on conviction to imprisonment for a term not exceeding 10 years.

Section 55F: inserted, on 25 June 2020, by section 83 of the Arms Legislation Act 2020 (2020 No 23).

55G Offences relating to removing or altering firearm markings

(1) A person commits an offence if the person, without reasonable excuse, obliterates, removes, or alters a marking on a firearm or part.

(2) A person who commits an offence against subsection (1) is liable on conviction to imprisonment for a term not exceeding 3 years.

(3) If any mark is removed for a lawful and proper purpose, the firearm or part must be re-marked in accordance with the marking requirements of this Act and regulations made under section 74.

Section 55G: inserted, on 25 June 2020, by section 83 of the Arms Legislation Act 2020 (2020 No 23).

55H Extraterritorial jurisdiction for offences against section 55D, 55E, 55F, or 55G

(1) Even if the acts or omissions alleged to constitute the offence occurred wholly outside New Zealand, proceedings may be brought for any offence against section 55D, 55E, 55F, or 55G—

(a) if the person to be charged—

(i) is a New Zealand citizen; or

(ii) is ordinarily resident in New Zealand; or

(iii) has been found in New Zealand and has not been extradited; or

(iv) is an entity incorporated or registered under the law of New Zealand; or

(b) if any of the acts or omissions are alleged to have occurred on board—

(i) a ship registered, or required to be registered, under the Ship Registration Act 1992; or

(ii) a ship used as a ship of the New Zealand Defence Force; or

(iii) an aircraft registered, or required to be registered, in New Zealand under the Civil Aviation Act 1990; or

(iv) an aircraft for the time being used as an aircraft of the New Zealand Defence Force; or

(v) an aircraft that is leased to a lessee whose principal place of business is in New Zealand, or who is a New Zealand citizen or a person ordinarily resident in New Zealand.

(2) The following sections do not apply to an offence against section 55D, 55E, 55F, or 55G:

(a) section 8 of the Crimes Act 1961 (which relates to jurisdiction in respect of crimes on ships or aircraft beyond New Zealand):

(b) section 400 of the Crimes Act 1961 (which requires the consent of the Attorney-General to proceedings in certain cases for offences on ships or aircraft).

(3) Nothing in this section limits—

(a) the application of section 55D, 55E, 55F, or 55G to acts or omissions that occurred wholly in New Zealand; or

(b) the application of section 7 of the Crimes Act 1961 to the occurrence in New Zealand of—

(i) an act or omission forming part of an offence; or

(ii) an event necessary to the completion of an offence; or

(c) the application of section 8A of the Crimes Act 1961.

Section 55H: inserted, on 25 June 2020, by section 83 of the Arms Legislation Act 2020 (2020 No 23).

55I Attorney-General's consent required

(1) No charging document may be filed against any person in relation to an offence against section 55D, 55E, 55F, or 55G committed outside New Zealand unless the Attorney-General consents to the filing of the charging document.

(2) A person alleged to have committed an offence against section 55D, 55E, 55F, or 55G may be arrested without a warrant or a warrant for their arrest may be issued and executed, and they may be remanded in custody or on bail, even though the consent of the Attorney-General has not yet been obtained under subsection (1), but no further or other proceedings may be taken until the consent has been obtained.

Section 55I: inserted, on 25 June 2020, by section 83 of the Arms Legislation Act 2020 (2020 No 23).

56 Obstruction of member of Police

Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding $1,000 or to both who obstructs a member of the Police in the exercise of any right of entry, search, seizure, or detention conferred by this Act.

Compare: 1958 No 21 s 19

Section 56: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

57 Offences committed by corporations

When an offence against this Act punishable by imprisonment (whether or not it is also punishable by a fine) is committed by a corporation, the corporation shall be liable on conviction to a fine not exceeding $4,000.

Compare: 1958 No 21 s 22

Section 57: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

58 Reporting of injuries caused by firearms, airguns, pistols, or restricted weapons

(1) Every person who causes bodily injury to or the death of any person by the use of a firearm, airgun, pistol, or restricted weapon, shall, as soon as reasonably practicable, report the incident in person—

(a) at the nearest Police station; or

(b) to a member of the Police.

(2) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding $1,000 or to both who contravenes subsection (1).

Compare: 1962 No 135 s 65(3), (6)

Section 58(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

58A Offences relating to registry

(1) A person commits an offence who, without reasonable excuse, fails to provide information to the Police in accordance with section 95.

(2) A person who commits an offence against subsection (1) is liable on conviction to a fine not exceeding $10,000.

(3) A person commits an offence if the person intentionally fails to provide information to the Police in accordance with section 95.

(4) A person commits an offence if the person provides information to the Police for inclusion in the registry, knowing the information to be false or misleading in a material respect.

(5) A person who commits an offence against subsection (3) or (4) is liable on conviction to a term of imprisonment not exceeding 2 years, or to a fine not exceeding $20,000.

Section 58A: inserted, on 24 June 2023, by section 84 of the Arms Legislation Act 2020 (2020 No 23).

59 Unsafe firearms or pistols

(1) Where, in the opinion of a commissioned officer of Police, any firearm or pistol is unsafe, that commissioned officer may, by notice in writing to the owner of that firearm or pistol, require the owner to ensure that that firearm or pistol is brought to a safe standard of repair and produced to a member of the Police within a period or by a date specified in the notice.

(2) If the owner of any firearm or pistol fails to comply with a notice given to him under subsection (1) in respect of that firearm or pistol, a commissioned officer of Police may, by notice in writing to that owner, require him to surrender that firearm or pistol forthwith to a member of the Police.

(3) Any owner of a firearm or pistol who is required—

(a) by a notice under subsection (1) to ensure that a firearm or pistol is brought to a safe standard of repair and produced to a member of the Police within a period or by a date specified in the notice; or

(b) by a notice under subsection (2) to surrender a firearm or pistol to a member of the Police,—

may appeal under section 62 against the requirement, and that section shall apply accordingly with all necessary modifications.

(4) An owner of a firearm or pistol commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding $10,000, if the owner, without reasonable excuse, fails to comply with a notice given to them under subsection (2) in respect of that firearm or pistol.

(5) Nothing in this section applies in respect of an antique firearm.

Compare: 1958 No 21 s 11A; 1968 No 21 s 4; 1976 No 151 s 7

Section 59(4): replaced, on 25 June 2020, by section 85 of the Arms Legislation Act 2020 (2020 No 23).

Part 9
Miscellaneous provisions

Part 9 heading: inserted, on 25 June 2020, by section 86 of the Arms Legislation Act 2020 (2020 No 23).

Marking of firearms

Heading: inserted, on 15 November 2022, by section 11 of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

59AAA Marking of firearms

(1) This section applies to all firearms, parts, pistol carbine conversion kits, and magazines possessed by firearms licence holders, including those manufactured in or imported into New Zealand, but does not apply to antique firearms.

(2) Firearms, parts, pistol carbine conversion kits, and magazines to which this section applies must be marked to the extent provided in, and in accordance with, requirements set out in regulations made under section 74.

(3) The Crown is not liable to pay compensation in respect of—

(a) the loss of value in the case of any firearm, part, pistol carbine conversion kit, or magazine that results from it being marked in accordance with the regulations; or

(b) the cost of marking the firearm, part, pistol carbine conversion kit, or magazine.

Section 59AAA (former section 41A): renumbered, on 15 November 2022, by section 9 of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

Surrender or delivery of firearms, etc

Heading: inserted, on 12 April 2019, by section 61 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

59A Surrender by licensed dealer of firearms, etc

(1) A licensed dealer does not contravene section 10 if, on obtaining possession of any of the following items from any person, the licensed dealer surrenders the item within 5 working days to the nearest Police station for inspection and inquiries:

(a) a pistol:

(b) a pistol carbine conversion kit:

(c) a restricted weapon:

(d) a prohibited item.

(2) A licensed dealer does not contravene section 12 if the licensed dealer does not record the particulars of any of the following items that is received by that dealer and, within 5 working days, surrenders the item to the nearest Police station for inspection and inquiries:

(a) a firearm:

(b) an airgun:

(c) a pistol:

(d) a pistol carbine conversion kit:

(e) a prohibited item:

(f) a restricted weapon.

Section 59A: replaced, on 25 June 2020, by section 87 of the Arms Legislation Act 2020 (2020 No 23).

59B Voluntary delivery to Police of firearms, etc

(1) If any arms item or ammunition is delivered to the Police by a person who is not authorised to be in possession of the item or ammunition, it is affirmed that the Police have the discretion not to prosecute in any case where—

(a) the offence is considered to be one of possession only; and

(b) there is no public interest in proceeding with the prosecution.

(2) *See also* Parts 1 and 2 of Schedule 1 (which contain amnesty provisions).

Section 59B: replaced, on 25 June 2020, by section 88 of the Arms Legislation Act 2020 (2020 No 23).

60 Improvement notices

(1) This section applies if a member of the Police reasonably believes that a person with a firearms or dealer's licence or an ammunition seller is failing, has failed, or is likely to fail to comply with—

(a) 1 or more applicable provisions of this Act or regulations made under this Act; or

(b) any conditions on a licence, an endorsement, or a permit.

(2) The member of the Police may issue an improvement notice that—

(a) states the applicable provision or provisions, or condition or conditions, that the member of the Police reasonably believes the person is failing, has failed, or is likely to fail to comply with; and

(b) requires the person to remedy the failure or prevent a failure from occurring; and

(c) states the date by which the person is required to remedy the failure or prevent a failure from occurring.

(3) An improvement notice must be in writing and be sent to the person by post or electronic means to their last known address.

(4) The member of the Police may extend the time within which the person is required to remedy the failure or prevent a failure from occurring.

(5) A person issued with an improvement notice must comply with the notice within the time specified in the notice (or within any extended time allowed by the member of the Police). *See* sections 60A and 60B for possible suspension and revocation of a licence if a person fails to comply with an improvement notice.

Section 60: inserted, on 24 December 2020, by section 89 of the Arms Legislation Act 2020 (2020 No 23).

60A Temporary suspension of licence pending possible revocation

(1) A member of the Police may, by notice in writing to the holder of a firearms or dealer's licence, temporarily suspend the licence if satisfied that 1 or more of the following apply:

(a) the holder is not a fit and proper person to be in possession of any firearm or airgun, which includes a case where—

(i) the holder has failed or refused to secure any arms items or ammunition in the person's possession in accordance with regulations made under this Act; or

(ii) the holder has failed to comply with any conditions imposed on their licence; or

(iii) the holder has failed to comply with an improvement notice issued under section 60; or

(iv) the member of the Police is so satisfied on the basis of a notice given under section 92 by a health practitioner; or

(v) the licence has been seized under section 18 of the Search and Surveillance Act 2012:

(b) the holder, being the holder of a dealer's licence, is not a fit and proper person to hold a dealer's licence:

(c) access to any firearm or airgun in the possession of the holder is reasonably likely to be obtained by—

(i) a person whose application for a firearms licence has been refused; or

(ii) a person whose firearms licence has been revoked; or

(iii) a person who, in the opinion of a member of the Police, is not a fit and proper person to be in possession of a firearm or an airgun or ammunition; or

(iv) a person, other than the holder, whose firearms licence has been temporarily suspended.

(2) A notice of temporary suspension of a licence must state—

(a) the ground on which the notice is given; and

(b) the licence that the notice applies to; and

(c) that if the person also holds a dealer's licence, their dealer's licence will also be suspended while that firearms licence is suspended; and

(d) the date on which the suspension begins; and

(e) that the suspension is to enable the Police to consider revoking the licence on that ground; and

(f) that the holder may, at any time before a day stated in the notice, make oral or written submissions on whether the licence should be revoked on that ground; and

(g) that the suspension lasts until notice of the decision as to whether to revoke the licence is given to the holder but, if the notice is not given within 90 days after the suspension takes effect, the suspension ends with the close of that 90-day period; and

(h) that the effect of the notice is that the holder is treated as not holding the licence for the purposes of this Act until a final determination on revocation of the licence is made (*see* sections 60B and 60C); and

(i) that the holder may commit an offence if the holder carries on any activities that require the holder to be licensed under this Act; and

(j) that the holder may be required immediately or before a date specified by a member of the Police to surrender to Police the holder's licence and the arms items and ammunition in the holder's possession.

(3) The day stated under subsection (2)(f) must not be sooner than, in the opinion of the Police, is reasonable to enable the holder to prepare and make submissions.

Section 60A: inserted, on 24 December 2020, by section 89 of the Arms Legislation Act 2020 (2020 No 23).

60B Effect of temporary suspension of firearms licence

(1) During the period that a firearms licence is suspended, this Act applies as if the firearms licence holder were not licensed to possess any arms item or ammunition under the licence or any endorsement on it.

(2) At any time during the period that a firearms licence is suspended, a member of the Police may require the firearms licence holder (orally or in writing) to immediately surrender to a member of the Police—

(a) their firearms licence; and

(b) every arms item in their possession or under their control; and

(c) all ammunition in their possession or under their control.

(3) If a firearms licence holder fails to comply with a requirement under subsection (2)(b) or (c), a member of the Police may seize and take possession of any arms item or ammunition in the possession or under the control of the holder.

(4) If a person's firearms licence is temporarily suspended and the person holds a dealer's licence,—

(a) the holder's dealer's licence is suspended while their firearms licence remains suspended; and

(b) section 60C applies.

Section 60B: inserted, on 24 December 2020, by section 89 of the Arms Legislation Act 2020 (2020 No 23).

60C Effect of temporary suspension of dealer's licence

(1) During the period that the dealer's licence is suspended,—

(a) this Act applies as if the dealer were not authorised to carry on any dealer activity; and

(b) an employee of the dealer may not carry on or assist with the carrying on of any dealer activity on behalf of the dealer.

(2) At any time during the period that a dealer's licence is suspended, a member of the Police may require the dealer (orally or in writing) to immediately surrender to a member of the Police—

(a) their dealer's licence; and

(b) every arms item in their possession or under their control; and

(c) all ammunition in their possession or under their control.

(3) If a dealer fails to comply with a requirement under subsection (2)(b) or (c), a member of the Police may seize and take possession of any arms item or ammunition in the possession or under the control of the dealer.

Section 60C: inserted, on 24 December 2020, by section 89 of the Arms Legislation Act 2020 (2020 No 23).

Search and seizure of firearms

[Repealed]

Heading: repealed, on 1 October 2012, by section 323(2) of the Search and Surveillance Act 2012 (2012 No 24).

60 Search of suspected persons and seizure of firearms, airguns, pistols, imitation firearms, restricted weapons, ammunition, or explosives

[Repealed]

Section 60: repealed, on 1 October 2012, by section 323(2) of the Search and Surveillance Act 2012 (2012 No 24).

60A Search of suspected persons and seizure of firearms in cases of domestic violence

[Repealed]

Section 60A: repealed, on 1 October 2012, by section 323(2) of the Search and Surveillance Act 2012 (2012 No 24).

61 Search of land or buildings for firearms, airguns, pistols, imitation firearms, restricted weapons, ammunition, or explosives

[Repealed]

Section 61: repealed, on 1 October 2012, by section 323(2) of the Search and Surveillance Act 2012 (2012 No 24).

Appeals

62 Right of review of official decisions

(1) This section applies to a decision to refuse an application for, or to revoke, a firearms licence.

(2) A person who is the subject of a decision to which this section applies may apply in the prescribed manner to the Commissioner for a review of the decision.

(3) An application must state—

(a) the decision that the applicant wishes to be reviewed; and

(b) the reasons why the applicant thinks the decision should be reviewed; and

(c) the outcome the applicant is seeking.

(4) An application must, subject to subsection (5), be made within 28 days after the date on which notice of the relevant decision is given to the person.

(5) The Commissioner may accept a late application no later than 28 days after the closing date in subsection (4) if satisfied that there are extenuating circumstances that affected the ability of the claimant to make the application by the closing date.

Section 62: replaced, on 24 December 2020, by section 90 of the Arms Legislation Act 2020 (2020 No 23).

62A How review to be conducted

(1) The Commissioner must delegate under section 72 the responsibility for reviewing a decision to which section 62 applies to 1 or more persons other than the person who made the original decision.

(2) The reviewer must review the decision on the papers within 28 days after the date on which the application for review was lodged.

(3) The Commissioner must give the applicant a written or an electronic notice of the reviewer's decision, and that decision has effect according to its terms.

(4) The original decision remains in force until the reviewer's decision is notified to the applicant.

Section 62A: inserted, on 24 December 2020, by section 90 of the Arms Legislation Act 2020 (2020 No 23).

62B Right of appeal to District Court

(1) A person who is the subject of a decision referred to in paragraph (a) or (b) or is a person described in paragraph (c) may, by way of originating application, appeal to a District Court Judge against the decision as follows:

(a) a decision to refuse an application for any of the following:

(i) a dealer's licence:

(ii) consent under section 7A:

(iii) a permit for the purposes of section 16(1):

(iv) a firearms licence:

(v) an endorsement under section 30, 30B, or 36:

(vi) a permit under section 35 to possess a pistol or restricted weapon:

(vii) a permit under section 35AAA to possess a pistol carbine conversion kit:

(viii) a permit under section 35A to possess a prohibited item:

(ix) a certificate of approval for a pistol shooting club under section 38G:

(x) certification of a shooting range under section 38V:

(xi) enrolment of a non-pistol shooting club under section 38O:

(xii) enrolment of a non-pistol shooting range under section 38XH:

(b) a decision to issue subject to conditions imposed by a member of the Police, or to revoke, any of the following:

(i) a dealer's licence:

(ii) a permit for the purposes of section 16(1):

(iii) a firearms licence:

(iv) an endorsement under section 30, 30B, or 36:

(v) a permit under section 35 to possess a pistol or restricted weapon:

(vi) a permit under section 35AAA to possess a pistol carbine conversion kit:

(vii) a permit under section 35A to possess a prohibited item:

(viii) a certificate of approval for a pistol shooting club:

(ix) certification of a shooting range:

(x) enrolment of a non-pistol shooting club:

(xi) enrolment of a non-pistol shooting range:

(c) a person who has been served with a notice under section 59 or 66C.

(2) However, in the case of a decision to which section 62 applies, a person has no right of appeal under this section unless the person has—

(a) first applied under section 62 for a review of the decision; and

(b) been notified of the reviewer's decision.

(3) On hearing an appeal under subsection (1), the District Court Judge may, subject to subsection (5), confirm, vary, or reverse the decision appealed against.

(4) Subsection (5) applies if—

(a) an application for a firearms licence has been refused on the ground set out in section 24(2); or

(b) a firearms licence has been revoked on the ground set out in section 27(2).

(5) If this subsection applies, the District Court Judge may, even though the Judge finds that ground established, vary or reverse the decision appealed against if satisfied that, since the decision was given, adequate measures have been taken to deny access to the firearm to the person whose likelihood of access to it was the basis of the refusal or revocation.

Section 62B: inserted, on 24 December 2020, by section 90 of the Arms Legislation Act 2020 (2020 No 23).

Section 62B(1)(a)(ix): replaced, on 29 June 2025, by section 6(1) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 62B(1)(a)(x): replaced, on 29 June 2025, by section 6(1) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 62B(1)(a)(xi): inserted, on 29 June 2025, by section 6(1) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 62B(1)(a)(xii): inserted, on 29 June 2025, by section 6(1) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 62B(1)(b)(viii): replaced, on 29 June 2025, by section 6(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 62B(1)(b)(ix): replaced, on 29 June 2025, by section 6(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 62B(1)(b)(x): inserted, on 29 June 2025, by section 6(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 62B(1)(b)(xi): inserted, on 29 June 2025, by section 6(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

62C Further provisions relating to appeals

(1) Despite the fact that any appeal under section 62B may have been determined in favour of the appellant, any commissioned officer of Police, in the exercise of powers conferred on the officer by this Act, may, subject to the like right of appeal, revoke any licence or permit to which the appeal related, or any licence or permit granted in compliance with the decision of the District Court Judge on the appeal, on any sufficient grounds supported by facts or evidence discovered since the hearing of the appeal.

(2) The decision of the District Court Judge on any appeal under section 62B is final and conclusive, subject to subsection (1) and to section 64.

(3) No person is excused from complying with any of the provisions of this Act on the ground that—

(a) the person has applied for a review under section 62 and the review is pending; or

(b) the person has appealed under section 62B and the appeal or the decision on the appeal is pending.

Section 62C: inserted, on 24 December 2020, by section 90 of the Arms Legislation Act 2020 (2020 No 23).

63 Appeal to District Court Judge in respect of compensation

The amount of compensation payable under any of the provisions of this Act in respect of any firearm, airgun, pistol, pistol carbine conversion kit, imitation firearm, prohibited magazine, prohibited part, restricted weapon, ammunition, explosive, or other property shall not in any case exceed the actual market value thereof, and in case of dispute shall be determined, upon application by way of originating application by a District Court Judge, whose decision, subject to section 64, shall be final.

Compare: 1958 No 21 s 15

Section 63: amended, on 25 June 2020, by section 91 of the Arms Legislation Act 2020 (2020 No 23).

Section 63: amended, on 12 April 2019, by section 63 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

64 Appeal on a question of law

(1) Where any party to any appeal under section 62B or to any application under section 63 is dissatisfied with the decision of the District Court Judge as being erroneous in point of law, he may appeal to the High Court on the question of law only.

(2) Subpart 8 of Part 6 of the Criminal Procedure Act 2011 applies as far as applicable with the necessary modifications to every appeal under this section.

Section 64(1): amended, on 24 December 2020, by section 92 of the Arms Legislation Act 2020 (2020 No 23).

Section 64(1): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 64(2): replaced, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Restoration of articles seized

65 Restoration of articles seized

On application by way of originating application, a District Court Judge may make such order as he thinks just and expedient for the restoration of any firearm, airgun, pistol, pistol carbine conversion kit, imitation firearm, restricted weapon, prohibited magazine, ammunition, or explosive seized and detained in pursuance of the right of search, seizure, or detention conferred by this Act.

Compare: 1958 No 21 s 28; 1976 No 151 s 13

Section 65: amended, on 25 June 2020, by section 93 of the Arms Legislation Act 2020 (2020 No 23).

Section 65: amended, on 12 April 2019, by section 64 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Foreign personal protection officers

[Repealed]

Heading: repealed, on 1 October 1999, by section 65H(1)(a).

65A Interpretation

[Repealed]

Section 65A: repealed, on 1 October 1999, by section 65H(1)(a).

65B Power to authorise foreign personal protection officer to carry and have possession of firearms, etc

[Repealed]

Section 65B: repealed, on 1 October 1999, by section 65H(1)(a).

65C Power to permit temporary importation of firearms, etc, by foreign personal protection officer

[Repealed]

Section 65C: repealed, on 1 October 1999, by section 65H(1)(a).

65D Grounds for issue of written authority or written permit

[Repealed]

Section 65D: repealed, on 1 October 1999, by section 65H(1)(a).

65E Conditions of written authority or written permit

[Repealed]

Section 65E: repealed, on 1 October 1999, by section 65H(1)(a).

65F Inspections

[Repealed]

Section 65F: repealed, on 1 October 1999, by section 65H(1)(a).

65G Power to revoke

[Repealed]

Section 65G: repealed, on 1 October 1999, by section 65H(1)(a).

65H Expiry of sections 65A to 65G

(1) Sections 65A to 65G expire with the close of 30 September 1999, and on 1 October 1999—

(a) those sections, and the heading above section 65A, are to be treated as having been repealed; and

(b) all written authorities issued under section 65B(1), and all written permits issued under section 65C(1), are to be treated as having been revoked.

(2) If a written authority or written permit is treated under subsection (1)(b) as having been revoked, the foreign personal protection officer to whom it was issued must—

(a) immediately deliver the firearms, airguns, pistols, restricted weapons, and ammunition to which the authority or permit relates into the possession of the Police: and

(b) as soon as practicable after they have been so delivered, arrange for their removal from New Zealand.

Section 65H: inserted, on 29 April 1999, by section 2 of the Arms Amendment Act 1999 (1999 No 23).

Other miscellaneous provisions

Heading: replaced, on 25 June 2020, by section 94 of the Arms Legislation Act 2020 (2020 No 23).

65I Duration of licences extended because of COVID-19 outbreak

[Repealed]

Section 65I: repealed, on the close of 25 September 2021, by section 65I(10).

66 Occupier of premises or driver of vehicle deemed to be in possession of firearm, airgun, pistol, imitation firearm, restricted weapon, prohibited magazine, or explosive found therein

For the purposes of this Act every person in occupation of any land or building or the driver of any vehicle on which any firearm, airgun, pistol, imitation fire-

arm, restricted weapon, prohibited magazine, or explosive is found shall, though not to the exclusion of the liability of any other person, be deemed to be in possession of that firearm, airgun, pistol, imitation firearm, restricted weapon, prohibited magazine, or explosive, unless he proves that it was not his property and that it was in the possession of some other person.

Compare: 1958 No 21 s 23; 1976 No 151 s 11

Section 66 heading: amended, on 12 April 2019, by section 65(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 66: amended, on 12 April 2019, by section 65(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

66A Loss, theft, or destruction of firearm, etc

(1) This section applies if—

(a) a firearm, prohibited magazine, prohibited part, or restricted weapon is lost, stolen, or destroyed; or

(b) a non-prohibited part or non-prohibited magazine that is required to be recorded in the registry is lost, stolen, or destroyed.

(2) The owner of the firearm, magazine, part, or restricted weapon must—

(a) immediately notify a member of the Police of the loss, theft, or destruction; and

(b) give all information in their possession relating to the loss, theft, or destruction to the member of the Police.

(3) A notification under subsection (2) must be given in the form or manner, or both the form and manner, approved by the Commissioner.

(4) Every person commits an offence and is liable on conviction to a fine not exceeding $10,000 if the person, without reasonable excuse, contravenes subsection (2).

Section 66A: inserted, on 25 June 2020, by section 95 of the Arms Legislation Act 2020 (2020 No 23).

66B Person in possession of firearm, etc, must give identifying information to Police

(1) A person in possession of any arms item or ammunition must, on demand, give their full name, address, and date of birth to any member of the Police who is in uniform or who produces evidence that they are a member of the Police.

(2) If any person refuses to give their name, address, or date of birth, or gives false particulars about their name, address, or date of birth, a constable—

(a) may caution that person; and

(b) if that person persists in the refusal or fails or continues to refuse to give the correct particulars, may arrest the person without warrant.

(3) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding $10,000, if the person, in response to a demand under subsection (1) or (2),—

(a) without reasonable excuse, refuses to give their name, address, or date of birth; or

(b) willingly gives false particulars about their name, address, or date of birth.

Section 66B: inserted, on 25 June 2020, by section 95 of the Arms Legislation Act 2020 (2020 No 23).

66C Powers of Police to require surrender of airguns or antique firearms

(1) If any person who is not the holder of a firearms licence or a dealer's licence is in possession of an airgun or antique firearm, a commissioned officer of Police may, by notice in writing served on that person, require that person to surrender the airgun or antique firearm to a member of the Police, if that officer is of the opinion that that person is not a fit and proper person to be in possession of the airgun or antique firearm.

(2) If any person is served with a notice under subsection (1), that person must, on demand, deliver the airgun or antique firearm to a member of the Police, and section 28(4) to (7) applies accordingly with all necessary modifications.

(3) Any person required under this section to surrender an airgun or antique firearm may appeal under section 62B against the requirement, and that section applies accordingly with all necessary modifications.

(4) A person commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding $10,000, if the person, without reasonable excuse, fails to comply with a notice given to them under subsection (1).

Section 66C: inserted, on 25 June 2020, by section 95 of the Arms Legislation Act 2020 (2020 No 23).

66D Obligations of owner or operator of craft temporarily visiting New Zealand and carrying firearms, etc

(1) If a craft arriving from a foreign country is, at any time, temporarily berthed, moored, or anchored in any harbour or territorial waters of New Zealand, and has on board any arms items that are not being off-loaded, the owner or operator of the craft must—

(a) include details of all arms items on board the craft—

(i) in an advance notice of arrival that is required to be provided to the New Zealand Customs Service by section 12 of the Customs and Excise Act 2018; or

(ii) in an inward report that is required to be provided to the New Zealand Customs Service by section 24 of the Customs and Excise Act 2018; and

(b) comply with any directions given by the New Zealand Customs Service or a member of the Police relating to the secure storage of those arms items, which may include a direction that the arms items be temporarily surrendered to a member of the Police or a Customs officer.

(2) If the owner or operator of a craft does not comply with any direction given under subsection (1)(b), a member of the Police or a Customs officer may—

(a) board the craft; and

(b) seize and detain the arms items; and

(c) in effecting the seizure and detention of the arms items, use any reasonably necessary force.

(3) In this section,—

arms items means any firearms, pistols, restricted airguns, prohibited items, restricted weapons, pistol carbine conversion kits, or ammunition

craft has the meaning given in section 5(1) of the Customs and Excise Act 2018

operator has the meaning given in section 5(1) of the Customs and Excise Act 2018

owner has the meaning given in section 5(1) of the Customs and Excise Act 2018.

Section 66D: inserted, on 25 June 2020, by section 95 of the Arms Legislation Act 2020 (2020 No 23).

67 Liability of principal for acts of agent, etc

Where an offence is committed against this Act or against any regulation made under this Act by any person acting as the agent or servant of another person, or being otherwise subject to the supervision or instructions of another person for the purposes of any employment in the course of which the offence was committed, that other person shall, without prejudice to the liability of the first-mentioned person, be liable under this Act in the same manner and to the same extent as if he had personally committed the offence if it is proved that the act which constituted the offence was committed with his consent or connivance or that it was attributable to any neglect on his part.

Compare: 1975 No 116 s 17(1)

68 Time for prosecutions not limited

Section 25 of the Criminal Procedure Act 2011 shall have no application to prosecutions for offences against this Act.

Compare: 1958 No 21 s 21

Section 68: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

69 Forfeitures

(1) If a person is convicted of an offence of using, carrying, or being in possession of any specified item, the convicting court must, as part of the sentencing, order that the specified item be forfeited to the Crown.

(1A) If a person is convicted of an offence under section 42A for breaching a firearms prohibition order and is in possession of any firearms or related items, the convicting court must, as part of the sentencing, order that the firearms or related items be forfeited to the Crown.

(2) However, subsection (1) or (1A) does not apply and the convicting court need not make an order under that provision if the court considers that, given the circumstances of the offending, it would be unjust to make that order.

(3) Anything ordered under subsection (1) or (1A) to be forfeited to the Crown—

(a) is forfeited to the Crown accordingly; and

(b) may be disposed of in any manner that the Commissioner directs.

(4) In this section,—

firearm or related item has the meaning given in section 39

specified item means any firearm, airgun, pistol, restricted weapon, imitation firearm, prohibited item, pistol carbine conversion kit, ammunition, or explosive.

Section 69: replaced, on 25 June 2020, by section 96 of the Arms Legislation Act 2020 (2020 No 23).

Section 69(1A): inserted, on 15 November 2022, by section 12(1) of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

Section 69(2): amended, on 15 November 2022, by section 12(2) of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

Section 69(3): amended, on 15 November 2022, by section 12(3) of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

Section 69(4): replaced, on 15 November 2022, by section 12(4) of the Firearms Prohibition Orders Legislation Act 2022 (2022 No 41).

70 Authorising disposal of firearms, etc, detained by Police

(1) Without limiting the operation of any other provisions of this Act as to the disposal of any firearm, airgun, pistol, restricted weapon, imitation firearm, prohibited magazine, prohibited part, pistol carbine conversion kit, ammunition, or explosive seized or detained under this Act, any such firearm, airgun, pistol, restricted weapon, imitation firearm, prohibited magazine, prohibited part, pistol carbine conversion kit, ammunition, or explosive that has been detained for not less than 12 months may be disposed of in such manner as the Commissioner may direct.

(2) Nothing in this section limits the authority of a District Court Judge to make an order for the restoration of any such firearm, airgun, pistol, restricted weapon,

imitation firearm, prohibited magazine, prohibited part, pistol carbine conversion kit, ammunition, or explosive on application made under section 65.

Compare: 1958 No 21 s 30; 1976 No 151 s 15

Section 70(1): amended, on 25 June 2020, by section 97 of the Arms Legislation Act 2020 (2020 No 23).

Section 70(1): amended, on 12 April 2019, by section 67 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 70(2): amended, on 25 June 2020, by section 97 of the Arms Legislation Act 2020 (2020 No 23).

Section 70(2): amended, on 12 April 2019, by section 67 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

71 Protection of persons acting under authority of this Act

No action, claim, or demand whatsoever shall lie or be made or allowed by or in favour of any person against the Crown, or any Minister of the Crown, or any person acting in good faith in the execution or intended execution of this Act, save only in respect of any compensation that is payable in accordance with the express provisions of this Act.

Compare: 1958 No 21 s 31

72 Delegation of powers by Commissioner

(1) The Commissioner may from time to time, by writing under his hand, either generally or particularly, delegate to such member or members of the Police of a level of position not less than inspector, as he thinks fit, all or any of his powers under this Act.

(2) Every person purporting to act pursuant to any delegation under this section shall be presumed to be acting in accordance with the terms of the delegation, in the absence of proof to the contrary.

(3) Subject to subsection (1), any delegation under this section may be made to a specified member of the Police or to members of the Police of a specified level of position or class, or may be made to the holder or holders for the time being of a specified office or class of offices.

(4) Every delegation under this section shall be revocable at will, and no such delegation shall prevent the exercise of any power by the Commissioner.

(5) Any such delegation shall, until revoked, continue in force according to its tenor, notwithstanding the fact that the Commissioner by whom it was made may have ceased to hold office, and shall continue to have effect as if made by the successor in office of the Commissioner.

(6) The revocation of any such delegation shall not affect in any way anything done under the delegated authority.

Compare: 1958 No 21 s 30A; 1976 No 151 s 16

Section 72(1): amended, on 1 October 2008, by section 130(1) of the Policing Act 2008 (2008 No 72).

Section 72(3): amended, on 1 October 2008, by section 130(1) of the Policing Act 2008 (2008 No 72).

72A Service of documents

(1) Any notice or other document required or authorised by this Act to be served on or given to any person shall be in writing and shall be sufficiently served on or given to that person if it is—

(a) delivered to that person; or

(b) left at that person's usual or last known place of abode or business or at an address specified by that person for the purpose of any application made under this Act; or

(c) posted in a letter addressed to that person by name at that person's last known place of abode or business or at an address specified by that person for the purpose of any application made under this Act; or

(ca) transmitted to an electronic address that the person has provided as an address for service; or

(d) made available to that person electronically through the registry, so long as an email is sent to an address supplied by the person to tell them that the notice or other document has been made available and the person has agreed to receive notices or documents in that way.

(2) Without limiting the provisions of subsection (1), any notice or other document required or authorised by this Act to be served on or given to any person shall be deemed to have been duly served on or given to that person if it is given—

(a) to any person appearing to have attained the age of 16 years and to be residing at the place of residence of that person; or

(b) to any solicitor or other agent of that person who is duly authorised by that person to receive the same.

(3) If the person is deceased, the notice or other document may be served on or given to that person's personal representatives.

(4) If the person is absent from New Zealand and his or her place of abode or business outside New Zealand is not known to the person by whom the notice or other document is to be served or given, the notice or other document shall (unless it can be served on or given to an agent in New Zealand of the person who is absent from New Zealand) be served or given in such manner as may be directed by an order of the District Court.

(5) Where any notice or other document is sent by post in accordance with subsection (1)(c),—

(a) it shall, if sent to an address in New Zealand, be deemed, in the absence of evidence to the contrary, to have been served or given on the fourth working day after the date on which it was posted; and

(b) it shall, if sent to an address outside New Zealand, be deemed in the absence of evidence to the contrary, to have been served or given on the 60th working day after the date on which it was posted; and

(c) in proving service, it shall be sufficient to prove that the letter was properly addressed and posted.

(6) Notwithstanding anything in the foregoing provisions of this section, the District Court may in any case make an order directing the manner in which any notice or other document is to be served or given, or dispensing with the service or giving thereof.

(7) This section does not apply to notices or other documents served or given in any proceedings in any court.

Section 72A: inserted, on 1 November 1992, by section 30 of the Arms Amendment Act 1992 (1992 No 95).

Section 72A(1)(ca): inserted, on 29 November 2022, by section 7 of the Arms (Licence Holders' Applications for New Licences) Amendment Act 2022 (2022 No 69).

Section 72A(1)(d): inserted, on 25 June 2020, by section 98 of the Arms Legislation Act 2020 (2020 No 23).

Section 72A(4): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

Section 72A(6): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

73 Savings in respect of carriers and persons authorised to exercise powers of seizure

(1) Notwithstanding anything in this Act, but subject to any prohibitions, limitations, restrictions, or conditions imposed by or pursuant to any regulations made under this Act,—

(a) any carrier may have possession of a firearm, an airgun, a pistol, an imitation firearm, a restricted weapon, a magazine, a part, a pistol carbine conversion kit, ammunition, or an explosive in the course of carriage under a contract of carriage:

(b) any person who seizes any article, being a firearm, an airgun, a pistol, an imitation firearm, a restricted weapon, a magazine, a part, a pistol carbine conversion kit, ammunition, or an explosive, in the exercise of a power conferred on him by any Act may have possession of that article so long as he is acting in the exercise of that power and in connection with his official duties.

(2) In subsection (1)(a), **carrier** includes any postal operator within the meaning of the Postal Services Act 1998.

Section 73(1)(a): amended, on 25 June 2020, by section 99 of the Arms Legislation Act 2020 (2020 No 23).

Section 73(1)(a): amended, on 12 April 2019, by section 68 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 73(1)(b): amended, on 25 June 2020, by section 99 of the Arms Legislation Act 2020 (2020 No 23).

Section 73(1)(b): amended, on 12 April 2019, by section 68 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 73(2): substituted, on 1 April 1998, by section 62(1) of the Postal Services Act 1998 (1998 No 2).

74 Regulations

(1) The Governor-General may, from time to time, by Order in Council, make regulations for all or any of the following purposes:

(a) regulating the issue, renewal, and replacement of permits and licences and the granting of endorsements:

(b) prescribing the manner and content of applications for permits, licences, certificates of approval, certifications, and endorsements and of other applications under this Act, and requiring such applications to be supported by statutory declarations and by such other documents or information as may be prescribed:

(ba) providing for photographs of licence holders to be affixed to or imaged into dealers' licences or firearms licences or both and prescribing requirements in relation to those photographs:

(bb) providing criteria, not inconsistent with this Act, for finding that a person is not a fit and proper person to be in possession of a firearm or an airgun:

(bc) providing criteria, not inconsistent with this Act, for finding that a person is a fit and proper person to be in possession of a firearm or an airgun:

(c) providing for applicants for firearms licences to pass theoretical and practical tests as to their ability to handle firearms safely or to undergo courses of training designed to teach them to handle firearms safely:

(d) exempting applicants or classes of applicants for firearms licences from passing tests prescribed under paragraph (c):

(e) prescribing conditions to which permits, licences, certificates of approval, certifications, and endorsements shall be subject, or authorising the Commissioner to prescribe conditions of that kind:

(ea) extending the expiry date of licences and endorsements in the event of a pandemic, an epidemic, or an emergency being declared under the Civil Defence Emergency Management Act 2002:

(f) *[Repealed]*

(g) prescribing forms of applications, permits, licences, endorsements, registers, notices, and other documents required for the purposes of this Act, or authorising the Commissioner to prescribe or approve such forms, and requiring the use of such forms:

(ga) prescribing the details that persons carrying on business are required under section 22E to enter in the registry relating to the sale or supply of ammunition:

(gb) prescribing the particulars that are required to be included in annual reports of pistol shooting clubs, including (but not limited to) finances, storage, safety, discipline, training, competitions, office holders, membership, participating non-members, attendance, and ratios of members who are licence holders, endorsement holders, or trained range officers to those who are not:

(gc) prescribing the information and documents required to support an application under section 38D for approval of a pistol shooting club:

(gd) prescribing the information and documents required to support an application under section 38M for enrolment of a non-pistol shooting club:

(ge) prescribing the information and documents required to support an application under section 38S for certification of a pistol shooting range, including the types of firearms and ammunition for which the range is certified:

(gf) prescribing the information and documents required to support an application under section 38XE for enrolment of a non-pistol shooting range, including the types of firearms and ammunition for which the range is enrolled:

(h) prescribing the particulars to be recorded by licensed dealers:

(ha) making provision for the secure storage of a vital part removed from a prohibited firearm or restricted weapon to render it inoperable and prescribing precautions to be taken to prevent the theft or misuse of vital parts in the possession of any person or class of persons:

(i) making provision for the security of any premises at which a licensed dealer carries on business and prescribing precautions to be taken to prevent the theft or misuse of firearms, airguns, pistols, prohibited items, restricted weapons, pistol carbine conversion kits, ammunition, and explosives in the possession of licensed dealers:

(ia) making provision for the security of any premises at which an ammunition seller carries on business and prescribing precautions to be taken to prevent the theft or misuse of ammunition in the possession of ammunition sellers:

(j) making provision for the security of premises at which any firearm or class of firearm is kept, and prescribing precautions to be taken to prevent the theft or misuse of firearms, airguns, pistols, prohibited items, restricted weapons, pistol carbine conversion kits, ammunition, and explosives in the possession of any person or class of persons:

(ja) providing for 1 or more of the following in relation to the sale or hiring of any arms item and ammunition:

(i) material that must be included in any advertising, promotion, or display of any arms item and ammunition:

(ii) advice that must be provided about legal conditions and requirements that apply to the purchase, possession, and use of arms items and ammunition (such as the legal age of purchase, licence or endorsement requirements, safe handling, transport, and storage):

(iii) different requirements for different types of sale or hire activities carried out by dealers:

(jb) providing for 1 or more of the following in relation to notices given by health practitioners for the purposes of section 92:

(i) the information that the Police must provide to a licence holder when notifying the holder that a report has been received from a health practitioner:

(ii) the period within which a licence holder must undergo a further assessment or surrender their licence, for the purposes of section 92(3):

(iii) the kinds or classes of health practitioners who may make a further assessment under section 92 and any time limits or other requirements that apply to the assessment:

(iv) the responsibilities of a health practitioner who makes a further assessment:

(k) specifying for the purposes of section 29 classes of persons who may be permitted to obtain endorsements permitting them to have possession of pistols or restricted weapons:

(l) making provisions that relate to any marking required for any firearms, magazines, and parts with identifying markings:

(la) declaring any firearm to be an antique firearm for the purposes of this Act:

(lb) prescribing limits for the purposes of section 4A(1)(f) to (j):

(lc) prescribing wild animals or animal pests for the purposes of section 4A(1)(i) and (j):

(m) defining firearms either generally or for the purposes of any particular provisions of this Act:

(n) applying any of the provisions of this Act to rifles, guns, or pistols of any calibre that are not firearms properly so called:

(o) excluding any firearms or ammunition or parts of firearms or restricted weapons from any of the provisions of this Act:

(p) enabling the Commissioner to direct that only certain members of the Police may issue permits or licences or grant endorsements under this Act:

(pa) providing for any matters necessary or desirable for the efficient operation of the registry, including provisions that—

(i) require licence holders or other persons to provide specified information to the Police for inclusion in the registry and specify the circumstances in which the requirement applies:

(ii) specify the manner or form in which information is required to be provided to the Police for inclusion in the registry:

(iii) impose additional requirements to be met for the purposes of the registry by persons described in section 4A who apply for—

(A) consent to conduct business at a gun show under section 7A; or

(B) a permit to import under section 18; or

(C) an endorsement under section 30B to possess a prohibited firearm; or

(D) a permit to possess under section 35A:

(iv) impose different requirements for different kinds of licences, conditions, or endorsements:

(pb) without limiting paragraph (pa)(i), requiring specified persons to provide specified information to the Police in accordance with the regulations in relation to firearms, parts, and magazines that are not required to be marked with identifying markings (for example, antique firearms and firearms exempted from or not covered by regulations made under paragraph (l)):

(pc) requiring specified particulars to be recorded in the registry for the purpose of section 94(1)(f):

(q) conferring or providing for exemptions from any provision of any regulation made under this Act:

(r) prescribing offences in respect of the contravention of or non-compliance with any regulations made under this Act, and the amounts of fines that may be imposed in respect of any such offences, which fines shall be an amount not exceeding $2,000:

(ra) providing, for the purposes of the orderly implementation of any Order in Council made under section 74A, for—

(i) any exemptions from any provisions of this Act or the regulations made under this Act (subject to terms or conditions, if any); and

(ii) any other transitional or savings matters:

(rb) providing for matters not inconsistent with this Act that relate to the operation of the advisory group appointed under section 88, including provisions that—

(i) state the quorum necessary for the transaction of the group's business:

(ii) require members to disclose any direct or indirect interest in a matter on which the group is providing advice:

(iii) prohibit members from disclosing any information provided to them in confidence in their capacity as members of the group:

(iv) enable the appointment of subcommittees:

(rc) providing for matters not inconsistent with this Act that relate to the operation of the review process under section 62, including provisions that prescribe, or authorise the Commissioner to prescribe, the form of applications for a review under section 62:

(rd) without limiting any class of persons who are authorised to do so under section 3, providing for other persons to be authorised to carry or possess firearms, airguns, pistols, prohibited magazines, prohibited parts, restricted weapons, pistol carbine conversion kits, ammunition, or explosives belonging to the Crown:

(re) providing that any requirements mentioned in section 3(5)(a) to (d) do apply in relation to any firearms or other items regulated by or under this Act that are owned by the Crown, to the extent provided in the regulations:

(s) providing for such matters as are contemplated by or necessary for giving full effect to this Act and for its due administration.

(2) *[Repealed]*

(3) Regulations under subsection (1)(pa) may be made only on the recommendation of the responsible Minister after being satisfied that the Secretary for Justice has—

(a) consulted the Privacy Commissioner about the proposed regulations; and

(b) complied with the consultation requirements in subsection (4).

(4) Regulations may be made under this section only on the recommendation of the responsible Minister after being satisfied that the Secretary for Justice has—

(a) consulted the Police; and

(b) done everything reasonable to consult other persons or organisations (or representatives of those organisations) that appear to the Secretary for Justice to be affected or likely to be affected by the regulations, unless the responsible Minister is satisfied that in the circumstances it was not practicable to consult to that extent or to carry out any consultation.

(5) No regulations made under subsection (1)(ja) may come into force earlier than 3 months after the date of their publication under the Legislation Act 2019 unless the responsible Minister is satisfied that in all the circumstances there are reasons that justify an earlier commencement date and recommends accordingly.

(6) Regulations under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

(7) If regulations authorise a person to grant exemptions referred to in subsection (1)(q),—

(a) an exemption is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements), unless it applies only to 1 or more named persons; and

(b) the regulations must contain a statement to that effect.

Compare: 1958 No 21 s 32; 1966 No 18 s 3(3); 1968 No 21 s 5; 1971 No 46 s 5; 1974 No 68 s 5(4); 1976 No 151 s 17

Legislation Act 2019 requirements for secondary legislation referred to in subsection (6)		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Legislation Act 2019 requirements for secondary legislation referred to in subsection (7)(a)		
Publication	See the relevant publication, presentation, and disallowance table in the secondary legislation referred to in subsection (6)	LA19 ss 73, 74, Sch 1 cl 14
Presentation	The Minister must present it to the House of Representatives, unless a transitional exemption applies under Schedule 1 of the Legislation Act 2019	LA19 s 114, Sch 1 cl 32
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 74(1)(b): amended, on 25 June 2020, by section 100(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(ba): inserted, on 1 November 1992, by section 31(1) of the Arms Amendment Act 1992 (1992 No 95).

Section 74(1)(bb): inserted, on 25 June 2020, by section 100(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(bc): inserted, on 25 June 2020, by section 100(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(e): amended, on 25 June 2020, by section 100(3) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(e): amended, on 12 April 2019, by section 69(1) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 74(1)(ea): inserted, on 25 June 2020, by section 100(4) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(f): repealed, on 25 June 2020, by section 100(5) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(ga): inserted, on 25 June 2020, by section 100(6) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(gb): inserted, on 25 June 2020, by section 100(6) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(gb): amended, on 29 June 2025, by section 7(1) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 74(1)(gc): replaced, on 29 June 2025, by section 7(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 74(1)(gd): replaced, on 29 June 2025, by section 7(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 74(1)(ge): inserted, on 29 June 2025, by section 7(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 74(1)(gf): inserted, on 29 June 2025, by section 7(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 74(1)(ha): inserted, on 12 April 2019, by section 69(2) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 74(1)(i): amended, on 25 June 2020, by section 100(7) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(i): amended, on 12 April 2019, by section 69(3) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 74(1)(ia): inserted, on 25 June 2020, by section 100(8) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(j): substituted, on 15 November 2000, by section 5 of the Arms Amendment Act 2000 (2000 No 53).

Section 74(1)(j): amended, on 25 June 2020, by section 100(7) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(j): amended, on 12 April 2019, by section 69(3) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 74(1)(ja): inserted, on 25 June 2020, by section 100(9) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(jb): inserted, on 25 June 2020, by section 100(9) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(l): replaced, on 25 June 2020, by section 100(10) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(la): inserted, on 1 November 1992, by section 31(2) of the Arms Amendment Act 1992 (1992 No 95).

Section 74(1)(lb): inserted, on 12 April 2019, by section 69(5) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 74(1)(lb): amended, on 25 June 2020, by section 100(11) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(lc): inserted, on 12 April 2019, by section 69(5) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 74(1)(lc): amended, on 25 June 2020, by section 100(12) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(o): amended, on 1 November 1992, by section 31(3) of the Arms Amendment Act 1992 (1992 No 95).

Section 74(1)(pa): inserted, on 25 June 2020, by section 100(13) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(pb): inserted, on 25 June 2020, by section 100(13) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(pc): inserted, on 25 June 2020, by section 100(13) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(r): amended, on 25 June 2020, by section 100(14) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(ra): inserted, on 12 April 2019, by section 69(6) of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 74(1)(rb): inserted, on 25 June 2020, by section 100(15) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(rc): inserted, on 25 June 2020, by section 100(15) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(rd): inserted, on 25 June 2020, by section 100(15) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(1)(re): inserted, on 25 June 2020, by section 100(15) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(2): repealed, on 25 June 2020, by section 100(5) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(3): replaced, on 29 June 2025, by section 12(1) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 74(4): replaced, on 29 June 2025, by section 12(1) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 74(5): inserted, on 25 June 2020, by section 100(16) of the Arms Legislation Act 2020 (2020 No 23).

Section 74(5): amended, on 29 June 2025, by section 12(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 74(5): amended, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Section 74(6): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Section 74(7): inserted, on 28 October 2021, by regulation 99 of the Legislation Act (Amendments to Legislation) Regulations 2021 (SL 2021/247).

74A Order in Council relating to definitions of prohibited firearm and prohibited magazine, and declaring prohibited ammunition

(1) The Governor-General may, by Order in Council made on the recommendation of the responsible Minister after being satisfied that the Secretary for Justice has consulted with the New Zealand Police,—

(a) amend the description in section 2A of a semi-automatic firearm (except a small semi-automatic pistol) or pump-action shotgun that is a prohibited firearm:

(b) amend the description in section 2B of a magazine that is a prohibited magazine:

(c) declare any semi-automatic firearm (except a small semi-automatic pistol) or pump-action firearm of a stated name or description to be a prohibited firearm for the purposes of this Act:

(d) declare any magazine of a stated name or description to be a prohibited magazine for the purposes of this Act:

(e) declare any ammunition to be prohibited ammunition for the purposes of this Act.

(2) An order under this section—

(a) is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements); and

(b) must be confirmed by an Act (*see* subpart 3 of Part 5 of the Legislation Act 2019).

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 74A: replaced, on 12 April 2019, by section 70 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Section 74A(1): amended, on 29 June 2025, by section 13 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 74A(1)(a): replaced, on 25 June 2020, by section 101(1) of the Arms Legislation Act 2020 (2020 No 23).

Section 74A(1)(c): replaced, on 25 June 2020, by section 101(2) of the Arms Legislation Act 2020 (2020 No 23).

Section 74A(2): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

74B Orders under section 74A are confirmable instruments

[Repealed]

Section 74B: repealed, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

74C Regulations providing for transitional matters relating to Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019

[Repealed]

Section 74C: repealed, on the close of 31 December 2020, by section 74C(3)(a).

74D Regulations providing for transitional matters relating to Arms Legislation Act 2020

[Repealed]

Section 74D: repealed, on the close of 31 December 2025, by section 74D(2)(a).

75 Consequential amendment to Summary Proceedings Act 1957

Amendment(s) incorporated in the Act(s).

76 Consequential amendments to Trespass Act 1980

Amendment(s) incorporated in the Act(s).

77 Repeals

[Repealed]

Section 77: repealed, on 12 April 2019, by section 71 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

78 Transitional provisions

(1) Every dealer's licence which is issued under the Arms Act 1958 and which is in force immediately before the commencement of this Act shall, until the close of 31 March 1985, continue and have effect as if it had been issued under this Act; and any such licence may be revoked or renewed under this Act.

(2) Every permit which is issued under section 6 of the Arms Act 1958 and which is in force immediately before the commencement of this Act shall, subject to section 18(3) of this Act, continue and have effect as if it had been issued for the purposes of section 16(1) of this Act.

(3) Every permit which is issued under section 7 of the Arms Act 1958 and which is in force immediately before the commencement of this Act shall cease to have effect on the commencement of this Act.

(4) Every person who, immediately before the commencement of this Act, is lawfully in possession of a firearm by virtue of—

(a) being registered as the owner of that firearm under section 9 of the Arms Act 1958; or

(b) having procured possession of a firearm (other than a shotgun or a firearm in respect of which he is registered as the owner) pursuant to a permit under section 6 of the Arms Act 1958,—

shall, subject to section 27 of this Act, be deemed, until the close of 31 January 1985 to be the holder of a firearms licence entitling him to have possession of the firearm so lawfully in his possession (whether or not it is a pistol).

(5) Every person (not being a person to whom subsection (4) applies) who, immediately before the commencement of this Act, is lawfully in possession of a shotgun shall, subject to section 27, be deemed, until the close of 31 January 1985, to be the holder of a firearms licence entitling him to have possession of that shotgun.

(6) Every person who, immediately before the commencement of this Act, is, by virtue of a licence under section 12(3) of the Arms Act 1958, lawfully in possession of an unlawful weapon or of any part or parts of an unlawful weapon shall, subject to sections 27 and 33 of this Act, be deemed, until the close of

31 January 1985, to be the holder of a firearms licence bearing an endorsement under section 30 of this Act permitting him to have possession of that weapon or of that part or those parts of that weapon.

(7) Every person who, immediately before the commencement of this Act, is, by virtue of a licence granted under section 13 of the Arms Act 1958, entitled to carry a pistol in any place beyond the limits of his dwellinghouse, or the curtilage thereof, shall, subject to sections 27 and 36(2) of this Act, be deemed, until the close of 31 March 1985, to be the holder of a firearms licence and to have had the conditions (which are endorsed on his licence under section 13 of the Arms Act 1958) endorsed on that firearms licence under section 36(1) of this Act.

(8) All appeals that have been commenced under section 14 of the Arms Act 1958 and are pending at the commencement of this Act shall be heard and determined as if the Arms Act 1958 had not been repealed; but, on the hearing of any such appeal, the District Court Judge, in addition to the powers conferred on him by that Act, may order that, for the purposes of this section, the appellant shall be treated—

(a) as if his licence, permit, or certificate had been in force immediately before the commencement of this Act:

(b) as if he had been lawfully in possession of a firearm, pistol, or unlawful weapon immediately before the commencement of this Act:

(c) as if certain conditions were not, immediately before the commencement of this Act, conditions of his licence or permit.

(9) The Acts Interpretation Act 1924 shall apply subject to this section.

Cost recovery

Heading: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

79 Purpose of sections 80 to 86

The purpose of sections 80 to 86 is to enable the Police to recover its costs in respect of certain activities undertaken by the Police under this Act.

Compare: 2008 No 72 s 79A

Section 79: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

80 Activities that may be subject to cost recovery

(1) The responsible Minister may recommend the making of a regulation under section 86 only if satisfied that the fee or charge concerned relates to an activity undertaken by the Police in accordance with this Act in relation to a person, shooting club, or shooting range.

(2) The activities for which fees or charges may be imposed under section 86—

(a) include—

(i) processing an application for a firearms or dealer's licence, including assessing whether the applicant is a fit and proper person:

(ii) providing training and testing services in relation to obtaining a firearms licence:

(iii) issuing any licence under this Act:

(iv) processing any application for an endorsement, a permit to possess, or permit to import:

(v) issuing any endorsement, a permit to possess, or permit to import:

(vi) undertaking inspections and compliance checks, including checks relating to any licence, endorsement, permit, certification, conditions, or improvement notices:

(vii) providing testing of samples in relation to firearms, firearm parts, restricted weapons, parts of restricted weapons, magazines, pistol carbine conversion kits, air pistol carbine conversion kits, blank-firing guns, or ammunition:

(viii) processing any application for approval of a pistol shooting club or certification of a pistol shooting range:

(viiia) processing any application for enrolment of a non-pistol shooting club or non-pistol shooting range:

(ix) approving the manufacture for sale of arms items:

(b) do not include—

(i) the response of the Police to calls relating to potential offending; or

(ii) the conduct of criminal investigations; or

(iii) the prosecution of criminal offences.

Compare: 2008 No 72 s 79B

Section 80: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

Section 80(1): amended, on 29 June 2025, by section 15 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 80(2)(a)(viii): replaced, on 29 June 2025, by section 8 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 80(2)(a)(viiia): inserted, on 29 June 2025, by section 8 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

81 Criteria for cost recovery

The responsible Minister may recommend that regulations be made under section 86 only if the responsible Minister is satisfied that,—

(a) subject to the provisions of section 86, the fee or charge recovers no more than the actual and reasonable costs (including both direct and indirect costs) of the activity to which the fee or charge relates; and

(b) the fee or charge for the activity or class of activities to which the fee or charge relates is generally obtained from the users or beneficiaries of the service or class of services to which the activity relates at a level commensurate, as far as practicable, with their use of the service; and

(c) the costs of the activity to which the fee or charge relates are efficiently incurred; and

(d) the relationship between the costs of the activity to which the fee or charge relates and the nature and duration of the activity is clear.

Compare: 2008 No 72 s 79C

Section 81: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

Section 81: amended, on 29 June 2025, by section 16(1) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 81: amended, on 29 June 2025, by section 16(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

82 Consultation

(1) The responsible Minister may recommend that regulations be made under section 86 only if the responsible Minister is satisfied that the Secretary for Justice has done everything reasonable to consult the persons or organisations (or representatives of those organisations) that appear to the Secretary for Justice to be affected or likely to be affected by the fee or charge.

(2) The process for consultation must, to the extent practicable in the circumstances, include—

(a) the giving of appropriate notice of the intention to make the regulation and of the contents of the proposed regulation; and

(b) a reasonable opportunity for interested persons to make submissions; and

(c) the adequate and appropriate consideration of those submissions.

(3) A failure to comply with this section does not affect the validity of any regulations made under section 86.

Compare: 2008 No 72 s 79D

Section 82: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

Section 82(1): replaced, on 29 June 2025, by section 17 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

83 Methods of cost recovery

(1) Regulations for the recovery of costs may provide for the following:

(a) fixed fees or charges:

(b) fees or charges based on a scale or formula or at a rate determined on an hourly or other unit basis:

(c) the recovery by way of a fee or charge of estimated actual and reasonable costs expended in, or associated with, the performance of an activity:

(d) fees or charges based on costs incurred from charges by third parties:

(e) any combination of the above.

(2) Without limiting the way in which a fee or charge may be set, a fee or charge may be set at a level or in a way that—

(a) is determined by calculations that involve an averaging of costs or potential costs:

(b) takes into account costs or potential costs of activities that are not services to be provided directly to the person who pays the fee or charge, but are an indirect or potential cost arising from the undertaking of the activity in question in relation to a class of persons or all persons who use the service or class of services to which the activity relates:

(c) takes into account indirect costs, which include the costs and potential costs of support, maintenance, and development associated with provision of the activity.

Compare: 2008 No 72 s 79E

Section 83: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

84 Payment of fee or charge

(1) A fee or charge prescribed by regulations made under section 86 is payable at the time prescribed in respect of a particular activity, whether that time is before, during, or after completion of the relevant activity.

(2) All fees and charges prescribed by regulations made under section 86 and received by the Police or any other government agency must be paid into a departmental bank account.

Compare: 2008 No 72 s 79F

Section 84: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

85 Exemptions, waivers, and refunds

(1) Regulations made under section 86 may provide for exemptions from, or waivers or refunds of, any fee or charge prescribed by regulations made under this Act, in whole or in part, in any class of case.

(2) Regulations made under section 86 may authorise the Commissioner, as the Commissioner thinks fit in the circumstances specified in those regulations, to

exempt, waive, or refund the whole or any part of a fee or charge prescribed by the regulations.

(3) If regulations authorise the Commissioner to exempt, waive, or refund the whole or any part of a fee or charge,—

(a) the instrument granting an exemption, waiver, or refund is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements), unless it applies only to 1 or more named persons; and

(b) the regulations must contain a statement to that effect.

Compare: 2008 No 72 s 79G

Legislation Act 2019 requirements for secondary legislation referred to in subsection (3)(a)		
Publication	See the relevant publication, presentation, and disallowance table in the regulations under which it is made	LA19 ss 73, 74, Sch 1 cl 14
Presentation	The Minister must present it to the House of Representatives, unless a transitional exemption applies under Schedule 1 of the Legislation Act 2019	LA19 s 114, Sch 1 cl 32
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 85: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

Section 85(3): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

86 Regulations relating to cost recovery

(1) The Governor-General may, by Order in Council on the recommendation of the responsible Minister made after consultation in accordance with section 82,—

(a) make regulations prescribing fees or charges for specified activities in accordance with sections 79 to 83:

(b) make regulations for the purposes of section 84:

(c) make regulations for the purposes of section 85.

(2) Regulations under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Compare: 2008 No 72 s 102A

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 86: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

Section 86(1): amended, on 29 June 2025, by section 18 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 86(2): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Guidance notices

Heading: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

87 Guidance notices

(1) The Commissioner may issue notices that provide guidance or details of an administrative nature that relate to 1 or more of the following:

(a) the requirements of regulations made under section 74(1)(i) that relate to the security of licensed dealer premises:

(b) the requirements of regulations made under section 74(1)(j) that relate to the security of premises where firearms are kept:

(c) the issuing of identifying markings for firearms and magazines manufactured in or imported into New Zealand:

(d) the approval of any pistol shooting club or certification of any pistol shooting range:

(da) the enrolment of any non-pistol shooting club or non-pistol shooting range:

(e) how to demonstrate the positive behaviours, skills, and knowledge that are expected of a fit and proper person:

(f) how to manage specific situations where non-licensed persons come into possession of a firearm:

(g) matters that health practitioners consider when determining whether to notify the Police under section 92:

(h) generally, about any aspect of the Act or regulations made under this Act where the Commissioner thinks further guidance or detail is useful.

(2) The Commissioner must consult the Arms Advisory Group, and may consult any other person or organisation that the Commissioner thinks appropriate, before issuing any notice.

(3) The Commissioner must—

(a) publish the notice in the *Gazette*; or

(b) notify in the *Gazette* the fact that the notice has been made and state in that notification where members of the public can access a copy of the notice in electronic form.

(4) *[Repealed]*

Section 87: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

Section 87(1)(d): replaced, on 29 June 2025, by section 9 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 87(1)(da): inserted, on 29 June 2025, by section 9 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 87(4): repealed, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Arms Advisory Group

Heading: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

88 Arms Advisory Group

(1) The responsible Minister must establish an Arms Advisory Group (the **advisory group**) comprising a chairperson and up to 8 other members.

(2) The purpose of the advisory group is to advise the responsible Minister on matters that contribute to achieving the objectives of this Act, in particular, the safe use and control of firearms.

(3) The advisory group may provide advice on any matter relating to firearms in New Zealand, including legislative proposals, policies for regulating New Zealand's firearms regime, and the promotion of firearms safety.

Section 88: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

Section 88(1): amended, on 29 June 2025, by section 19(1) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 88(2): amended, on 29 June 2025, by section 19(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

89 Operations of advisory group

(1) The members of the advisory group must appoint a deputy chairperson from among their number at their first meeting.

(2) The advisory group may determine its own procedure, subject to compliance with any relevant provisions of this Act and regulations made under this Act.

(3) The advisory group must, as soon as practicable after the end of each financial year, provide the responsible Minister with an annual report of its proceedings and operations during that year.

(4) The Secretary for Justice must provide the resources and administrative support necessary to enable the advisory group to perform its functions.

(5) The members of the advisory group are immune from liability in civil proceedings for good-faith actions or omissions in pursuance, or intended pursuance, of the duties, functions, or powers of the group.

Section 89: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

Section 89(3): amended, on 29 June 2025, by section 20(1) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 89(4): amended, on 29 June 2025, by section 20(2) of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

90 Provisions relating to appointment of members of advisory group

(1) The membership of the advisory group must comprise a balance of people from both the firearm-owning and the non-firearm-owning community, including people who are concerned about the mitigation of harm from firearms from a health perspective.

(2) In appointing any member of the advisory group, the responsible Minister must have regard to the need for the advisory group to possess knowledge and experience in some or all of the following areas:

(a) New Zealand and international firearms regulatory systems:

(b) public health and safety, particularly as it relates to firearms:

(c) firearms research:

(d) firearms safety and the use of firearms:

(e) membership of any community organisation or group involved in firearms awareness, safety, or law reform:

(f) any other matters the Minister considers relevant.

(3) A member may be appointed for a term of up to 3 years as specified in the notice of appointment and be reappointed in the same manner.

(4) The responsible Minister must, by notice in the *Gazette*, notify the appointment of members and their terms of office.

(5) A member is entitled to be—

(a) paid remuneration at a rate and of a kind determined in accordance with the fees framework; and

(b) reimbursed for actual and reasonable travelling and other expenses in accordance with the fees framework.

(6) In this section, **fees framework** means the framework determined by the Government for the classification and remuneration of statutory and other bodies in which the Crown has an interest.

Section 90: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

Section 90(2): amended, on 29 June 2025, by section 21 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Section 90(4): amended, on 29 June 2025, by section 21 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

91 Removal of members of advisory group

(1) The responsible Minister may, if satisfied that there is just cause to do so, remove from office any member of the advisory group.

(2) The removal must be made by written notice to the member.

(3) The notice must state—

(a) the day on which the removal takes effect, which must not be earlier than the day on which the notice is received; and

(b) the reasons for the removal.

(4) For the purposes of subsection (1), **just cause** includes misconduct, inability to perform the functions of office, neglect of duty, and breach of any of the determinations of the group regarding its operations and procedures (depending on the seriousness of the breach).

Section 91: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

Section 91(1): amended, on 29 June 2025, by section 22 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Medical assessments

Heading: inserted, on 24 December 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

92 Health practitioners may give Police medical reports of persons unfit to use firearm

(1) This section applies if a health practitioner who has attended or been consulted in respect of a person who the practitioner knows or has reason to believe is a firearms licence holder considers that the health condition of the licence holder is such that, in the interests of the safety of individuals or the public, the licence holder—

(a) should not be permitted to use or possess a firearm; or

(b) should only be permitted to use or possess a firearm subject to any limitations that may be warranted by the health condition of the licence holder.

(2) If this section applies, the health practitioner must consider notifying the Police as soon as practicable—

(a) of the opinion under subsection (1); and

(b) the grounds on which it is based; and

(c) whether the practitioner believes the licence holder poses an immediate or imminent danger of self-harm or harm to others.

(3) If the Police have been notified by a health practitioner under subsection (2), the Commissioner may require a licence holder to undergo a further medical assessment by a health practitioner who is independent from the practitioner who made the initial assessment and, in that case, the licence holder must either—

(a) undergo the further assessment; or

(b) surrender their licence under section 27(1).

(4) Regulations made under section 74(1)(jb) (if any) apply in relation to any notice given for the purpose of this section and to any action required under subsection (3).

(5) A health practitioner is not liable to criminal, civil, or disciplinary proceedings by disclosing personal information in the course of performing any function or responsibility under this section, as long as the practitioner acts in good faith.

Section 92: inserted, on 24 December 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

Registration of firearms and dealings

Heading: inserted, on 24 June 2023, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

93 Commissioner to keep registry

The Commissioner must keep and operate a registry for the purposes of this Act.

Section 93: inserted, on 24 June 2023, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

94 Content of registry

(1) The following particulars must be recorded in the registry:

(a) the number and date of expiry of every type of licence held by a person under this Act:

(b) every licence holder's full name, date of birth, and address:

(c) every endorsement on a licence:

(d) every condition on a licence or an endorsement that is additional to conditions imposed by this Act or regulations made under section 74:

(e) the particulars of the make, model, and identifying markings of every firearm, restricted weapon, and prohibited magazine possessed by a licence holder, and of the location of the firearm, restricted weapon, and prohibited magazine, if the particulars are held by the Police:

(f) every particular that regulations made under section 74 require to be recorded in the registry.

(2) The registry may include—

(a) photographs provided under section 34A; and

(b) any other information that the Commissioner considers necessary or desirable—

(i) to ensure that the registry is complete and accurate; or

(ii) for the administration of this Act and regulations made under it; and

(c) any other photographs that the Commissioner considers necessary or desirable.

Section 94: inserted, on 24 June 2023, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

95 Obligation to provide information to registry

(1) This section applies to the following persons:

(a) every holder of a firearms licence:

(b) every holder of a dealer's licence:

(c) every other person who is or intends to be in possession of a firearm or other item regulated by or under this Act.

(2) This section also applies to the following events in relation to any firearm or other item regulated by or under this Act:

(a) its sale or supply, excluding a temporary transfer:

(b) its purchase or receipt, excluding a temporary transfer:

(c) its importation:

(d) its exportation:

(e) its manufacture:

(f) its theft, loss, or destruction:

(g) any other event specified for the purpose of this section in regulations made under section 74.

(3) Every person to whom this section applies, and every person who has responsibilty in relation to any event to which this section applies, must provide the relevant details to the Police in accordance with the time and any other requirements prescribed by regulations made under section 74.

(4) In this section, **temporary transfer** means a transfer of possession of the firearm (not being a pistol, restricted weapon, prohibited magazine, or prohibited firearm) or other item for less than 30 days.

Section 95: inserted, on 24 June 2023, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

Review of operation of this Act

Heading: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

96 Review of this Act

(1) The responsible Minister must—

(a) review the operation of this Act when all of the provisions of the amendment Act, except sections 106 and 108, have been in force for 3 years; and

(b) prepare a report on that review, including recommendations for amendments to this Act.

(2) The review must include reviewing—

(a) the operation of the registry; and

(b) all offences and penalties in this Act; and

(c) the impact of the amendment Act.

(3) The review must be completed within 18 months after all of the provisions of the amendment Act, except sections 106 and 108, have been in force for 3 years.

(4) The Minister must present the report to the House of Representatives as soon as practicable after it has been completed.

(5) In this section, **amendment Act** means the Arms Legislation Act 2020.

Section 96: inserted, on 25 June 2020, by section 104 of the Arms Legislation Act 2020 (2020 No 23).

Section 96(1): amended, on 29 June 2025, by section 23 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Schedule 1
Transitional, savings, and related provisions

s 3A

Schedule 1: replaced, on 12 April 2019, by section 72 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Part 1
Provisions relating to Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019

Schedule 1 Part 1: inserted, on 12 April 2019, by section 72 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

1 Interpretation

(1) In this Part,—

Act means the Arms Act 1983

amendment Act means the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019

amnesty period means the period—

(a) beginning at 3 pm on 21 March 2019; and

(b) ending on—

(i) the date that is 6 months after the first date on which regulations made under clause 7 come into force; or

(ii) any later date prescribed by Order in Council

commencement means the date on which the amendment Act comes into force.

(2) An order under paragraph (b)(ii) of the definition of amnesty period in subclause (1) is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this clause		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Schedule 1 clause 1: inserted, on 12 April 2019, by section 72 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Schedule 1 clause 1(2): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

2 Permits to import issued for purposes of section 16(1) of Act before commencement are revoked

(1) A permit issued for the purposes of section 16(1) of this Act (as in force immediately before commencement) is revoked to the extent that it authorises the importation of a firearm, magazine, or part that,—

(a) after commencement, is a prohibited item; and

(b) before commencement, has not been brought or sent into New Zealand.

(2) This clause does not apply to permits issued for the purposes of enabling persons referred to in section 3(2) of this Act to carry out their duties.

Schedule 1 clause 2: inserted, on 12 April 2019, by section 72 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

3 Prohibited items subject to the control of Customs at commencement

(1) This clause applies to a prohibited item that is subject to the control of the New Zealand Customs Service at commencement.

(2) The prohibited item is to be treated as a prohibited good under section 98 of the Customs and Excise Act 2018 and the chief executive of the New Zealand Customs Service may, under section 85(1)(b) of that Act, authorise the delivery of the prohibited item to the Police.

(3) At the time of that delivery, the prohibited item ceases to be subject to the control of Customs.

(4) In this clause, **subject to the control of Customs** has the same meaning as in section 6 of the Customs and Excise Act 2018.

Schedule 1 clause 3: inserted, on 12 April 2019, by section 72 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

4 Endorsements issued under section 30B of Act before commencement are revoked

(1) An endorsement issued under section 30B of this Act (as in force immediately before commencement) is revoked.

(2) However, subclause (1) does not limit clause 5.

Schedule 1 clause 4: inserted, on 12 April 2019, by section 72 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

5 Temporary amnesty for persons possessing prohibited items before commencement

(1) This clause applies to a person who, before commencement, possesses a prohibited item.

(2) The person does not commit an offence under section 50A, 50B, or 50C of this Act for the continued possession of the prohibited item.

(3) Subclause (2)—

(a) ceases to have effect at the end of the amnesty period; and

(b) is subject to any other conditions (if any) set by regulations.

(4) *See also* the provisions governing surrender and voluntary delivery of prohibited items in sections 59A and 59B of this Act.

Schedule 1 clause 5: inserted, on 12 April 2019, by section 72 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

6 Compensation for prohibited items delivered to Police

(1) This clause applies in respect of a prohibited item that, after 3 pm on 21 March 2019, is delivered or otherwise surrendered to a member of the Police.

(2) The prohibited item becomes the property of the Crown, free and discharged from all right, title, or interest possessed by any person in respect of that item.

(3) Compensation may be paid in respect of the prohibited item in accordance with any regulations made under clause 7.

(4) However, nothing in this Act or the amendment Act otherwise confers any right to compensation, or is to be relied on in any proceedings as a basis for a claim to compensation, except and to the extent authorised by regulations made under clause 7.

Schedule 1 clause 6: inserted, on 12 April 2019, by section 72 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

7 Regulations establishing compensation for delivery of prohibited items to Police

(1) The Governor-General may, by Order in Council made on the recommendation of the Minister of Police, make regulations establishing 1 or more schemes for the purpose of paying compensation in respect of prohibited items that, during the amnesty period or any other specified period or periods, are delivered or otherwise surrendered to a member of the Police.

(2) Regulations made under subclause (1) may—

(a) apply to 1 or more classes of licence holders or other persons who, before commencement, lawfully possessed prohibited items:

(b) apply to 1 or more classes of prohibited items:

(c) confer the right to compensation only if specified criteria or conditions are met:

(d) limit the right to compensation in specified circumstances (for example, the maximum number of prohibited magazines for which compensation may be paid to a person):

(e) provide for the Commissioner to determine the amount of compensation to be paid for a prohibited item or a class of prohibited items (whether that item or class of items is of a specified type, make, model, description, or condition, or a combination of these), including—

(i) by the issuing of a schedule of those amounts:

(ii) by determining the method by which the amount of compensation to be paid for a prohibited item is calculated, which may include—

(A) the maximum amount of compensation payable in respect of an item:

(B) the minimum amount of compensation payable in respect of an item:

(C) the proportion of a specified amount of compensation payable in respect of an item:

(f) impose conditions on any payment of compensation:

(g) specify the criteria that may be applied by the Commissioner when determining or assessing the compensation payable in respect of a prohibited item:

(h) confer and make any provisions with respect to rights of review or appeal against any compensation determined or assessed in respect of a prohibited item.

(3) Regulations made under subclause (1) may make different provision with respect to different persons, prohibited items, or circumstances or different classes of persons, prohibited items, or circumstances.

(4) To avoid doubt, regulations made under subclause (1) need not include compensation for—

(a) any economic loss; or

(b) any consequential loss; or

(c) any loss for business interruption; or

(d) any loss attributable to intrinsic or sentimental value.

(5) Regulations under subclause (1) are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

(6) If the regulations provide under subclause (2)(e) for the Commissioner to determine an amount of compensation or the method for calculating an amount of compensation,—

(a) the instrument by which an amount or a method is determined is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements), unless the instrument applies only to 1 or more named persons; and

(b) the regulations must contain a statement to that effect.

Legislation Act 2019 requirements for secondary legislation referred to in subclause (5)		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)

Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Legislation Act 2019 requirements for secondary legislation referred to in subclause (6)(a)		
Publication	See the relevant publication, presentation, and disallowance table in the secondary legislation referred to in subclause (5)	LA19 ss 73, 74, Sch 1 cl 14
Presentation	The Minister must present it to the House of Representatives, unless a transitional exemption applies under Schedule 1 of the Legislation Act 2019	LA19 s 114, Sch 1 cl 32
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Schedule 1 clause 7: inserted, on 12 April 2019, by section 72 of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12).

Schedule 1 clause 7(5): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Schedule 1 clause 7(6): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Part 2
Provisions relating to Arms Legislation Act 2020

Schedule 1 Part 2: inserted, on 25 June 2020, by section 105 of the Arms Legislation Act 2020 (2020 No 23).

8 Interpretation

(1) In this Part,—

amendment Act means the Arms Legislation Act 2020

amnesty period means the period—

(a) beginning on the commencement date; and

(b) ending on—

(i) the date that is 6 months after the first date on which regulations made under clause 19 come into force; or

(ii) any later date prescribed by Order in Council

commencement date means the day after the date on which the amendment Act receives the Royal assent

specified item means—

(a) a specified prohibited firearm:

(b) a pistol carbine conversion kit

specified prohibited firearm means—

(a) a semi-automatic firearm that—

(i) is capable of firing only 0.22 calibre or lower rimfire cartridges; and

(ii) has a magazine, whether or not detachable or otherwise externally fed, that is capable of holding no more than 10 cartridges commensurate with the firearm's chamber size; and

(iii) has a lower receiver that is able to be attached to a centrefire upper receiver so that the resulting firearm is able to function:

(b) a semi-automatic pistol that is not—

(i) a small semi-automatic pistol:

(ii) a semi-automatic pistol held by a person referred to in section 2A(3):

(c) a centrefire pump-action rifle that is capable of being used with a detachable magazine:

(d) a centrefire pump-action rifle that has 1 or more non-detachable magazines (tubular or otherwise) capable of holding more than 10 cartridges commensurate with that firearm's chamber size.

(2) An order under paragraph (b)(ii) of the definition of **amnesty period** in subclause (1) is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this clause		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Schedule 1 clause 8: inserted, on 25 June 2020, by section 105 of the Arms Legislation Act 2020 (2020 No 23).

Schedule 1 clause 8(2): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

9 Duration of firearms licences issued or applied for before commencement date

(1) If a firearms licence is issued on or after 10 February 2020 on an application made on or after that date but before the commencement date, the licence is treated as having effect only for 5 years in the case of an applicant who—

(a) has never previously held a firearms licence; or

(b) has had their previous licence revoked or has surrendered their previous licence; or

(c) has allowed their previous licence to expire without applying for a new licence before the expiry date.

(2) Nothing in the amendment Act affects the duration of any other firearms licence applied for before the commencement date.

Schedule 1 clause 9: inserted, on 25 June 2020, by section 105 of the Arms Legislation Act 2020 (2020 No 23).

10 Disqualification from holding firearms licence

(1) This clause applies to a person who is the holder of a firearms licence immediately before the date of commencement of section 22H.

(2) The holder is not disqualified under section 22H from holding the firearms licence even if the holder has, within the previous 10-year period ending on the date of commencement of section 22H,—

(a) been convicted of any of the offences specified in that section; or

(b) been released from custody after being convicted of any of those offences; or

(c) had a protection order made against them under—

(i) section 79 of the Family Violence Act 2018; or

(ii) section 14 of the Domestic Violence Act 1995.

Schedule 1 clause 10: inserted, on 25 June 2020, by section 105 of the Arms Legislation Act 2020 (2020 No 23).

11 Kea guns

(1) This clause applies to a person who—

(a) is the registered owner of a kea gun; and

(b) has a firearms licence that bears an endorsement made under section 29(1) (as it read immediately before its repeal by section 49(1) of the amendment Act).

(2) The person must, within 6 months after the commencement of section 49(1) of the amendment Act,—

(a) obtain an endorsement under section 30 permitting the person to have possession of the kea gun in a capacity specified in section 29(2)(b), (c), or (d); or

(b) surrender the kea gun to a member of the Police.

Schedule 1 clause 11: inserted, on 25 June 2020, by section 105 of the Arms Legislation Act 2020 (2020 No 23).

12 Shooting clubs

(1) Subclause (2) applies to an incorporated pistol shooting club that, immediately before the date of commencement of Part 6, was recognised by the Commissioner for the purposes of section 29 (as in force immediately before the commencement of section 49 of the amendment Act).

(2) On and after the commencement of Part 6, the incorporated pistol shooting club is to be treated as if the club has been issued with a certificate of approval under section 38G.

(3) In the case of any other shooting club that existed as a shooting club immediately before the commencement of Part 6, an application under section 38D must be made within 12 months after the date of commencement of Part 6.

(4) If an application for certification of the club is made within that 12-month period, the club is to be treated, as from the time the Commissioner receives the application until the application has been decided, as if the club has been issued with a certificate of approval under section 38G.

Schedule 1 clause 12: inserted, on 24 June 2022, by section 105 of the Arms Legislation Act 2020 (2020 No 23).

13 Shooting ranges

(1) Subclause (2) applies to a pistol shooting range that at the date of commencement of Part 6 was approved by the Commissioner in accordance with regulation 22 of the Arms Regulations 1992.

(2) The pistol shooting range is to be treated as if the range has been issued with a certificate under section 38P during the period that—

(a) commences on the date of commencement of Part 6; and

(b) ends on whichever of the following dates first occurs:

(i) the date of cancellation of the Commissioner's approval of the shooting range given before the commencement of Part 6:

(ii) the date that is 5 years after the date of commencement of Part 6.

(3) In the case of any other shooting range that existed as a shooting range immediately before the commencement of Part 6, an application under section 38M must be made within 12 months after the commencement of Part 6.

(4) If an application for certification of the range is made within that 12-month period, the range is to be treated, as from the time the Commissioner receives the application until the application has been decided, as if the range has been issued with a certificate under section 38P.

Schedule 1 clause 13: inserted, on 24 June 2022, by section 105 of the Arms Legislation Act 2020 (2020 No 23).

14 Obligations relating to registry

(1) This clause applies if a person is a licence or permit holder under this Act immediately before the date of commencement of section 95 or is a prescribed person for the purposes of this clause.

(2) In subclause (1), **prescribed person** means any person who belongs to a class of persons declared by regulations made under section 74D to be prescribed persons for the purposes of subclause (1).

(3) The person must provide the Police with the relevant information within the time and in accordance with any other requirements prescribed by regulations made under section 74 or 74D (as the case may be) if the person—

(a) is applying for a licence or an endorsement; or

(b) is notifying a change in circumstances (such as a change of address); or

(c) has responsibility in relation to an event referred to in section 95(2); or

(d) is subject to compliance or enforcement action by the Police under this Act.

(4) If none of the circumstances in subclause (3) apply to the person within 5 years after the registry starts operating, the person must, from the close of that 5-year period, provide the Police with the relevant information in accordance with regulations made under section 74.

(5) If none of the circumstances in subclause (3) apply to a licence holder within 5 years after the registry starts operating and the holder no longer possesses a firearm, part, magazine, or ammunition at the end of that 5-year period, the holder must notify the Police of that fact as soon as practicable after that period ends.

Schedule 1 clause 14: inserted, on 24 June 2023, by section 105 of the Arms Legislation Act 2020 (2020 No 23).

15 Permits to import issued for purposes of section 16(1) of Act before commencement date revoked

(1) A permit issued for the purposes of section 16(1) of this Act (as in force immediately before the commencement date) is revoked to the extent that it authorises the importation of a firearm that,—

(a) after the commencement date, is a specified prohibited firearm; and

(b) before the commencement date, has not been brought or sent into New Zealand.

(2) This clause does not apply to permits issued for the purposes of enabling persons referred to in section 3(2) of this Act to carry out their duties.

Schedule 1 clause 15: inserted, on 25 June 2020, by section 105 of the Arms Legislation Act 2020 (2020 No 23).

16 Specified prohibited firearms subject to the control of Customs at commencement date

(1) This clause applies to a specified prohibited firearm that is subject to the control of the New Zealand Customs Service at the commencement date.

(2) The specified prohibited firearm is to be treated as specified prohibited goods under section 98 of the Customs and Excise Act 2018 and the chief executive of the New Zealand Customs Service may, under section 85(1)(b) of that Act, authorise the delivery of the specified prohibited firearm to the Police.

(3) At the time of that delivery, the specified prohibited firearm ceases to be subject to the control of Customs.

(4) In this clause, **subject to the control of Customs** has the same meaning as in section 6 of the Customs and Excise Act 2018.

Schedule 1 clause 16: inserted, on 25 June 2020, by section 105 of the Arms Legislation Act 2020 (2020 No 23).

17 Temporary amnesty for persons possessing specified items before commencement date

(1) This clause applies to a person who, before the commencement date, lawfully possesses a specified item.

(2) The person does not commit an offence under section 50A or 50AA of this Act for the continued possession of the specified item if the person does not use the specified item during the amnesty period.

(3) Subclause (2)—

(a) ceases to have effect at the end of the amnesty period; and

(b) is subject to any other conditions (if any) set by regulations.

(4) *See also* the provisions governing surrender and voluntary delivery of prohibited items in sections 59A and 59B of this Act.

Schedule 1 clause 17: inserted, on 25 June 2020, by section 105 of the Arms Legislation Act 2020 (2020 No 23).

18 Compensation for specified items delivered to Police

(1) This clause applies in respect of a specified item that, on or after the commencement date, is delivered or otherwise surrendered to a member of the Police.

(2) The specified item becomes the property of the Crown, free and discharged from all right, title, or interest possessed by any person in respect of that item.

(3) Compensation may be paid in respect of the specified item in accordance with any regulations made under clause 19.

(4) However, nothing in this Act or the amendment Act otherwise confers any right to compensation, or is to be relied on in any proceedings as a basis for a claim to compensation, except and to the extent authorised by regulations made under clause 19.

Schedule 1 clause 18: inserted, on 25 June 2020, by section 105 of the Arms Legislation Act 2020 (2020 No 23).

19 Regulations establishing compensation for delivery of specified items to Police

(1) The Governor-General may, by Order in Council made on the recommendation of the Minister of Police, make regulations establishing 1 or more schemes for the purpose of paying compensation in respect of a specified item that, during the amnesty period or any other specified period or periods, is delivered or otherwise surrendered to a member of the Police or meets any other prescribed requirements.

(2) Regulations made under subclause (1) may—

(a) apply to 1 or more classes of licence holders or other persons who, before the commencement date, lawfully possessed the specified item:

(b) apply to 1 or more classes of specified items:

(c) confer the right to compensation only if specified criteria or conditions are met:

(d) limit the right to compensation in specified circumstances (for example, the maximum number of pistol carbine conversion kits for which compensation may be paid to a person):

(e) provide for the Commissioner to determine the amount of compensation to be paid in respect of a specified item or a class of specified items (whether that item or class of items is of a specified type, make, model, description, or condition, or a combination of them), including—

(i) by issuing a schedule of those amounts:

(ii) by determining the method by which the amount of compensation to be paid in respect of a specified item is calculated, which may include—

(A) the maximum amount of compensation payable in respect of an item:

(B) the minimum amount of compensation payable in respect of an item:

(C) the proportion of a specified amount of compensation payable in respect of an item:

(f) impose conditions on any payment of compensation:

(g) specify the criteria that the Commissioner may apply when determining or assessing the compensation payable in respect of a specified item:

(h) confer and make any provisions with respect to rights of review or appeal against any compensation determined or assessed in respect of a specified item.

(3) Regulations made under subclause (1) may make different provision with respect to different persons, specified items, or circumstances or different classes of persons, specified items, or circumstances.

(4) To avoid doubt, regulations made under subclause (1) need not include compensation for—

(a) any economic loss; or

(b) any consequential loss; or

(c) any loss for business interruption; or

(d) any loss attributable to intrinsic or sentimental value.

(5) Regulations under subclause (1) are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

(6) If the regulations provide under subclause (2)(e) for the Commissioner to determine an amount of compensation or the method for calculating an amount of compensation,—

(a) the instrument by which an amount or a method is determined is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements), unless the instrument applies only to 1 or more named persons; and

(b) the regulations must contain a statement to that effect.

Legislation Act 2019 requirements for secondary legislation referred to in subclause (5)		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Legislation Act 2019 requirements for secondary legislation referred to in subclause (6)(a)		
Publication	See the relevant publication, presentation, and disallowance table in the secondary legislation referred to in subclause (5)	LA19 ss 73, 74, Sch 1 cl 14
Presentation	The Minister must present it to the House of Representatives, unless a transitional exemption applies under Schedule 1 of the Legislation Act 2019	LA19 s 114, Sch 1 cl 32
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Schedule 1 clause 19: inserted, on 25 June 2020, by section 105 of the Arms Legislation Act 2020 (2020 No 23).

Schedule 1 clause 19(5): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Schedule 1 clause 19(6): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Part 3
Provisions relating to Arms (Licence Holders' Applications for New Licences) Amendment Act 2022

Schedule 1 Part 3: inserted, on 29 November 2022, by section 6 of the Arms (Licence Holders' Applications for New Licences) Amendment Act 2022 (2022 No 69).

20 Application made by firearms licence holder for new licence pending on commencement date

(1) This clause applies in respect of an application for a new firearms licence that—

(a) was made before the commencement date by an applicant—

(i) who at the time of making the application held—

(A) a current firearms licence; or

(B) a firearms licence treated as continuing in force under regulation 28ZB(5) of the Arms Regulations 1992; and

(ii) whose firearms licence was not revoked or surrendered before the commencement date; and

(b) was not determined before the commencement date.

(2) Section 25A(2) and (3) (as inserted by the Amendment Act) applies in respect of the application and it does not matter if the firearms licence held by the applicant at the time of making the application expired before the commencement date or expires after the commencement date.

(3) In this clause,—

Amendment Act means the Arms (Licence Holders' Applications for New Licences) Amendment Act 2022

commencement date means the date on which the Amendment Act commences.

Schedule 1 clause 20: inserted, on 29 November 2022, by section 6 of the Arms (Licence Holders' Applications for New Licences) Amendment Act 2022 (2022 No 69).

21 Endorsements to continue in force

(1) This clause applies if—

(a) an endorsement was made under section 30 or 30B on a firearms licence and that endorsement has not been surrendered or revoked; and

(b) the firearms licence is treated as continuing in force under clause 20.

(2) If this clause applies,—

(a) the endorsement continues in force, subject to section 33C; and

(b) any conditions on the endorsement continue in force while the endorsement remains in force.

Schedule 1 clause 21: inserted, on 29 November 2022, by section 6 of the Arms (Licence Holders' Applications for New Licences) Amendment Act 2022 (2022 No 69).

Part 4
Provisions relating to Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025

Schedule 1 Part 4: inserted, on 29 June 2025, by section 10 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

22 Interpretation

In this Part,—

amendment Act means the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025

commencement date means the date on which this Part comes into force.

Schedule 1 clause 22: inserted, on 29 June 2025, by section 10 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

23 Pistol shooting clubs approved before commencement date

(1) A pistol shooting club that, immediately before the commencement date, held a certificate of approval issued under section 38G (as it read immediately before its replacement by section 5 of the amendment Act) is to be treated on and after the commencement date as holding a certificate of approval issued under section 38G.

(2) A pistol shooting club that under subclause (1) is to be treated on and after the commencement date as holding a certificate of approval issued under section 38G—

(a) continues to be subject to any improvement notice issued to the club under section 38V (as it read immediately before its replacement by section 5 of the amendment Act) as if the improvement notice had been issued under section 38XL; and

(b) continues to be subject to any notice of temporary suspension issued to the club under section 38W (as it read immediately before its replacement by section 5 of the amendment Act) as if the notice of suspension had been issued under section 38XM.

Schedule 1 clause 23: inserted, on 29 June 2025, by section 10 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

24 Non-pistol shooting clubs approved before commencement date

(1) A non-pistol shooting club that, immediately before the commencement date, held a certificate of approval issued under section 38G (as it read immediately before its replacement by section 5 of the amendment Act) is to be treated on and after the commencement date as enrolled under section 38O.

(2) A non-pistol shooting club that under subclause (1) is to be treated on and after the commencement date as enrolled—

(a) continues to be subject to any improvement notice issued to the club under section 38V (as it read immediately before its replacement by section 5 of the amendment Act) as if the improvement notice had been issued under section 38XL; and

(b) continues to be subject to any notice of temporary suspension issued to the club under section 38W (as it read immediately before its replacement by section 5 of the amendment Act).

Schedule 1 clause 24: inserted, on 29 June 2025, by section 10 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

25 Pistol shooting ranges certified before commencement date

(1) A pistol shooting range that, immediately before the commencement date, held a certificate issued under section 38P (as it read immediately before its replace-

ment by section 5 of the amendment Act) is to be treated on and after the commencement date as holding a certificate issued under section 38V.

(2) A pistol shooting range that under subclause (1) is to be treated on and after the commencement date as holding a certificate issued under section 38V continues to be subject to any improvement notice issued to the range under section 38V (as it read immediately before its replacement by section 5 of the amendment Act).

Schedule 1 clause 25: inserted, on 29 June 2025, by section 10 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

26 Non-pistol shooting ranges certified before commencement date

(1) A non-pistol shooting range that, immediately before the commencement date, was certified by the Commissioner under section 38P (as it read immediately before its replacement by section 5 of the amendment Act) is to be treated on and after the commencement date as enrolled under section 38XH.

(2) A non-pistol shooting range that under subclause (1) is to be treated on and after the commencement date as enrolled—

(a) may be inspected under section 38XK, and, for that purpose, section 38XK(2)(b) must be read as providing for an inspection to be undertaken,—

(i) if the range has not been inspected since it was certified by the Commissioner, within 5 years after the date of its certification, and then at subsequent intervals of not less than 5 years:

(ii) if the range has been inspected since it was certified by the Commissioner, not less than 5 years after the date of that inspection, and then at subsequent intervals of not less than 5 years; and

(b) continues to be subject to any improvement notice issued to the range under section 38V (as it read immediately before its replacement by section 5 of the amendment Act) as if the improvement notice had been issued under section 38XL; and

(c) continues to be subject to any notice of temporary suspension issued to the range under section 38X (as it read immediately before its replacement by section 5 of the amendment Act) as if the notice of suspension had been issued under section 38XN.

Schedule 1 clause 26: inserted, on 29 June 2025, by section 10 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

27 Non-pistol shooting ranges treated as certified before commencement date

(1) This clause applies to a non-pistol shooting range that—

(a) before 23 June 2023 had, in reliance on clause 13(3) of this schedule, made an application for certification under section 38M (as it read

immediately before its replacement by section 5 of the amendment Act); and

(b) immediately before the commencement date, was treated under clause 13(4) of this schedule as if it had been issued with a certificate under section 38P (as it read immediately before its replacement by section 5 of the amendment Act).

(2) The non-pistol shooting range is to be treated as enrolled under section 38XH for the period—

(a) commencing on the commencement date; and

(b) ending when the application made by the non-pistol shooting range under clause 13(3) of this schedule is decided.

Schedule 1 clause 27: inserted, on 29 June 2025, by section 10 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

28 Applications pending on commencement date

(1) An application by a pistol shooting club for a certificate of approval made but not determined before the commencement date must be treated on and after that date as an application made under section 38D.

(2) An application by a non-pistol shooting club for a certificate of approval made but not determined before the commencement date must be treated on and after that date as an application for enrolment under section 38M.

(3) An application by a pistol shooting range for certification made but not determined before the commencement date must be treated on and after that date as an application for certification under section 38S.

(4) An application by a non-pistol shooting range for certification made but not determined before the commencement date must be treated on and after that date as an application for enrolment under section 38XE.

Schedule 1 clause 28: inserted, on 29 June 2025, by section 10 of the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15).

Arms Amendment Act 1992

Public Act	1992 No 95
Date of assent	27 October 1992
Commencement	see section 1(2)

1 Short Title and commencement

(1) This Act may be cited as the Arms Amendment Act 1992, and shall be read together with and deemed part of the Arms Act 1983 (hereinafter referred to as "the principal Act").

(2) Except as provided in section 7(2), this Act shall come into force on 1 November 1992.

Transitional provisions

32 Duration of existing firearms licences

Every firearms licence in force on 1 November 1992 shall, unless sooner cancelled, revoked, or surrendered, expire with the close of 31 October 2002.

33 Calling-in of existing firearms licences

(1) At any time before the close of 31 October 2002, the Commissioner may, by notice given to any person who was on 1 November 1992 the holder of a firearms licence, call in that person's firearms licence.

(2) Where any person who was the holder of a firearms licence on 1 November 1992 is given a notice under subsection (1), that person, if then the holder of a firearms licence, shall, by the close of such date as is specified in the notice (which date shall be not less than 2 months after the date of the notice), comply with section 34 or section 35.

(3) The notice shall, among other things, inform the licence holder of the substance of section 34B of the principal Act and of section 38 of this Act.

34 Surrender of firearms licences

If the holder of the firearms licence does not wish to continue to be the holder of a firearms licence, he or she shall surrender his or her firearms licence by delivering it or causing it to be delivered to a member of the Police at an Arms Office.

35 Applications for new firearms licences

(1) If the holder of the firearms licence wishes to continue to be the holder of a firearms licence, he or she—

(a) shall attend in person at an Arms Office and there deliver to a member of the Police—

(i) the holder's firearms licence or a letter explaining why the holder is unable to deliver his or her firearms licence; and

(ii) 2 photographs of the holder of the firearms licence; and

(b) shall, at the same time as he or she complies with paragraph (a), complete at the Arms Office—

(i) an application for a new firearms licence; and

(ii) such applications (if any) as are required under any of the provisions of sections 29(1), 29(2), 30A(1), and 36 of the principal Act in respect of endorsements.

(2) The photographs of the holder of the firearms licence (which shall be identical) shall comply with such other requirements (including requirements as to size) as are specified in the notice.

36 Re-issue of firearms licences

Where a person who was the holder of a firearms licence on 1 November 1992 and who wishes to continue to be the holder of a firearms licence complies with section 35 by the close of the date specified in the notice given to that person under section 33(1), a member of the Police shall consider whether that person is a fit and proper person to be in possession of a firearm or airgun, and, if satisfied that that person is such a person, shall cancel that person's existing firearms licence and, subject to section 24(2) of the principal Act and to compliance by that person with any notice given to that person under section 37(2) of this Act, issue a new firearms licence to that person.

37 Photographs of holders of firearms licences or dealers' licences

(1) Every member of the Police who issues a firearms licence or a dealers' licence on or after 1 November 1992 shall ensure that a photograph of the holder of the licence is affixed to or imaged into the licence.

(2) Notwithstanding that an applicant for a firearms licence or a dealers' licence, or a person to whom a notice has been given under section 33(1), has supplied photographs of himself or herself to an Arms Office, a member of the Police may give to that person a notice requiring that person to attend at an Arms Office for the purpose of having his or her photograph taken.

(3) Every notice given to a person under subsection (2) shall specify the days on which and the times during which that person may have his or her photograph taken at the Arms Office.

38 Effect of failure to respond to calling-in of firearms licence

(1) Where a notice under section 33(1) is given to a person who was the holder of a firearms licence on 1 November 1992 and that person does not, within the period of 6 months beginning with the date on which that notice was given to that person, comply with section 34 or section 35, that licence, unless sooner

cancelled, revoked, or surrendered, shall be deemed to be revoked as from the close of that period.

(2) Where a licence is deemed to be revoked by subsection (1), the person to whom the licence was issued shall cease to be licensed to possess firearms, airguns, pistols, or restricted weapons by virtue of that licence or any endorsement on it.

39 Power to reinstate licences deemed to be revoked

(1) Notwithstanding anything in section 38, where a person whose firearms licence has been revoked by section 38(1) satisfies a member of the Police, before the close of 31 October 2002, that—

(a) that person did not receive the notice sent to that person under section 33(1); or

(b) that person has a reasonable excuse for failing to comply with section 35,—

that member of the Police may direct that that person's firearms licence be reinstated as from the time when it was deemed to be revoked.

(2) No member of the Police shall give a direction under subsection (1) for the reinstatement of any person's firearms licence unless that member of the Police is satisfied that that person has delivered to an Arms Office—

(a) that firearms licence or a letter explaining why that person is unable to produce that firearms licence; or

(b) the photographs required by that notice.

(3) Where a firearms licence is reinstated under subsection (1), a member of the Police shall forthwith proceed to consider under section 36 whether that person is a fit and proper person to be in possession of a firearm or airgun and sections 36 and 37 shall, with all necessary modifications, apply accordingly.

Notes

1 General

This is a consolidation of the Arms Act 1983 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Arms Act 2026 (2026 No 47): section 392

Crimes Legislation (Stalking and Harassment) Amendment Act 2025 (2025 No 72): Part 2 subpart 1

Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act 2025 (2025 No 15)

Firearms Prohibition Orders Legislation Amendment Act 2024 (2024 No 34): Part 1

Civil Aviation Amendment Act 2023 (2023 No 11): section 7

Criminal Activity Intervention Legislation Act 2023 (2023 No 7): Part 1 subpart 2

Arms (Licence Holders' Applications for New Licences) Amendment Act 2022 (2022 No 69)

Firearms Prohibition Orders Legislation Act 2022 (2022 No 41): Part 1

Three Strikes Legislation Repeal Act 2022 (2022 No 40): section 12

Maritime Powers Act 2022 (2022 No 23): section 48

Te Ture mō te Hararei Tūmatanui o te Kāhui o Matariki 2022/Te Kāhui o Matariki Public Holiday Act 2022 (2022 No 14): wehenga 7/section 7

Legislation Act (Amendments to Legislation) Regulations 2021 (LI 2021/247): regulation 99

Secondary Legislation Act 2021 (2021 No 7): section 3

Arms Legislation Act 2020 (2020 No 23): Part 1

Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 (2019 No 12): Part 1

Customs and Excise Act 2018 (2018 No 4): section 443(3)

District Court Act 2016 (2016 No 49): section 261

Legislation (Confirmable Instruments) Amendment Act 2015 (2015 No 120): section 14

Holidays (Full Recognition of Waitangi Day and ANZAC Day) Amendment Act 2013 (2013 No 19): section 8

Arms (Military Style Semi-automatic Firearms and Import Controls) Amendment Act 2012 (2012 No 117)

Search and Surveillance Act 2012 (2012 No 24): section 323

Criminal Procedure Act 2011 (2011 No 81): section 413

Cluster Munitions Prohibition Act 2009 (2009 No 68): section 20

Policing Act 2008 (2008 No 72): section 130(1)

Visiting Forces Act 2004 (2004 No 59): section 26

Arms Amendment Act 2000 (2000 No 53)

Arms Amendment Act 1999 (1999 No 23)

Anti-Personnel Mines Prohibition Act 1998 (1998 No 111): sections 28, 30

Postal Services Act 1998 (1998 No 2): section 62(1)

Hazardous Substances and New Organisms Act 1996 (1996 No 30): section 149

Arms Amendment Act 1992 (1992 No 95)

Public Finance Act 1989 (1989 No 44): section 65R(3)

Crimes Amendment Act (No 2) 1986 (1986 No 71): section 7

Arms Amendment Act 1985 (1985 No 5)

Arms Act 1983 (1983 No 44): sections 65H(1)(a), 65I(10), 74C(3)(a), 74D(2)(a)

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