Version
as at 23 September 2026

Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019

Public Act	2019 No 12
Date of assent	11 April 2019
Commencement	see section 2

Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019: repealed, on 23 September 2026, pursuant to section 392 of the Arms Act 2026 (2026 No 47).

Contents

		Page
1	Title	5
2	Commencement	5
3	Principal Act	6
	Part 1 **Amendments to principal Act**	
4	Section 2 amended (Interpretation)	6
5	New sections 2A to 2D inserted	7
	2A Meaning of prohibited firearm	7
	2B Meaning of prohibited magazine	7
	2C Meaning of prohibited part	8
	2D Meaning of prohibited ammunition	8
6	Section 3 amended (Act to bind the Crown)	8
7	New section 3A inserted (Transitional, savings, and related provisions)	8

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.

	3A Transitional, savings, and related provisions	8
8	New section 4A inserted (Persons who may apply to import, sell, supply, and possess, or use prohibited items)	8
	4A Persons who may apply to import, sell, supply, possess, or use prohibited items	8
9	Section 5 amended (Dealers to be licensed)	9
10	New section 6A inserted (Conditions of dealer's licence)	9
	6A Conditions of dealer's licence	10
11	Section 10 replaced (Restriction on possession of pistol or restricted weapon by licensed dealer)	10
	10 Restriction on possession of pistol, prohibited items, or restricted weapon by licensed dealer	10
12	Section 11 amended (Dealers and their employees and agents to hold firearms licences)	11
13	Section 12 amended (Record of dealings by licensed dealers)	11
14	Section 13 amended (Seizure of firearms, ammunition, airguns, pistols, and restricted weapons held by licensed dealers)	11
15	Section 14 amended (Disposal of firearms, ammunition, airguns, pistols, and restricted weapons of dealer whose licence is revoked)	11
16	Section 15 amended (Offence for licensed dealer to carry on business following revocation of his licence)	11
17	Cross-heading above section 16 replaced	11
18	Section 16 amended (Offence to import firearms, starting pistols, restricted airguns, or restricted weapons, or parts of firearms, starting pistols, or restricted weapons without permit)	11
19	New section 16A inserted (Offence to import prohibited ammunition)	12
	16A Offence to import prohibited ammunition	12
20	Section 17 amended (Burden of proof)	12
21	Section 18 amended (Issue of permits to import firearms, parts of firearms, or restricted airguns)	12
22	Section 18A amended (Expiration of permits to import firearms, starting pistols, restricted airguns, or restricted weapons, or parts of firearms, starting pistols, or restricted weapons)	13
23	Section 18B amended (Samples)	13
24	Section 19 amended (Seizure of illegally imported items)	13
25	Section 20 amended (Restrictions on possession of firearms)	14
26	Section 22 amended (Exemptions)	14
27	Section 28 amended (Effect of revocation or surrender of firearms licence)	14
28	Section 30 amended (Power to make endorsement in respect of pistols or restricted weapons)	14
29	Section 30A amended (Application for endorsement in respect of military style semi-automatic firearm)	14

30	Section 30B replaced (Power to make endorsement in respect of military style semi-automatic firearm)		14
	30B	Power to make endorsement in respect of prohibited firearm or prohibited magazine	15
31	Section 31 amended (Possession of firearm, pistol, military style semi-automatic firearm, or restricted weapon for stage, film, or television purposes)		16
32	New section 31A inserted (Conditions of endorsements)		16
	31A	Conditions of endorsements	16
33	Section 32 amended (Conditions of endorsements)		16
34	Section 33A replaced (Conditions of endorsement in respect of military style semi-automatic firearms)		17
	33A	Further conditions of endorsement in respect of prohibited firearm or prohibited magazine	17
35	Section 33B amended (Revocation of endorsement in respect of military style semi-automatic firearms)		17
36	Section 34 amended (Notification of change of address)		17
37	Cross-heading above section 35 replaced		18
38	Section 35 amended (Issue of permit to procure pistol, military style semi-automatic firearm, or restricted weapon)		18
39	New section 35A inserted (Issue of permit to possess prohibited firearm or prohibited magazine)		18
	35A	Issue of permit to possess prohibited firearm or prohibited magazine	18
40	Section 38 amended (Removal of pistol, military style semi-automatic firearm, or restricted weapon out of New Zealand)		18
41	Cross-heading above section 39 replaced		19
42	Section 39 amended (Loss, theft, or destruction)		19
43	Section 40 amended (On demand by Police person in possession of firearm, airgun, pistol, or restricted weapon to give name, address, and date of birth)		19
44	Section 43 amended (Selling or supplying firearm or airgun to unlicensed person)		19
45	New section 43AA inserted (Possessing, selling, or supplying prohibited ammunition)		19
	43AA	Possessing, selling, or supplying prohibited ammunition	19
46	Section 43A amended (Mail order sale of firearm or ammunition)		20
47	Section 44 amended (Selling or supplying pistol, military style semi-automatic firearm, or restricted weapon to person who does not hold permit to import or to procure)		20
48	New sections 44A and 44B inserted		20
	44A	Offence to sell or supply prohibited firearm or prohibited magazine	20
	44B	Offence to sell or supply prohibited part	20

49	Section 45 amended (Carrying or possession of firearms, airguns, pistols, restricted weapons, or explosives, except for lawful, proper, and sufficient purpose)	20
50	Section 49A amended (Unlawful possession of firearm or airgun after revocation of firearms licence)	21
51	Section 50 amended (Unlawful possession of pistol, military style semi-automatic firearm, or restricted weapon)	21
52	New sections 50A to 50D inserted	21
	50A Unlawful possession of prohibited firearm	21
	50B Unlawful possession of prohibited magazine	21
	50C Unlawful possession of prohibited part	21
	50D Unlawfully carrying or possessing prohibited firearm in public place	21
53	Section 51 amended (Unlawful carriage or possession in public place of firearm, airgun, pistol, ammunition, explosive, or restricted weapon)	22
54	New section 51A inserted (Presenting prohibited firearm at other person)	22
	51A Presenting prohibited firearm at other person	22
55	Section 52 amended (Presenting firearm, airgun, pistol, or restricted weapon at other person)	22
56	New section 53A inserted (Use or attempted use of prohibited firearm to resist or prevent arrest or commit offence)	22
	53A Use or attempted use of prohibited firearm to resist or prevent arrest or commit offence	22
57	Section 54 amended (Use or attempted use of firearm, airgun, pistol, imitation firearm, restricted weapon, ammunition, or explosive to resist or prevent arrest or commit offence)	23
58	New section 54A inserted (Carrying prohibited firearm with criminal intent)	23
	54A Carrying prohibited firearm with criminal intent	23
59	Section 55 amended (Carrying firearm, airgun, pistol, imitation firearm, restricted weapon, ammunition, or explosive with criminal intent)	23
60	New sections 55A and 55B inserted	23
	55A Offence to assemble prohibited firearm	23
	55B Offence of failing to produce firearm, etc, on demand or to permit inspection of firearm, etc	24
61	New sections 59A and 59B and cross-heading inserted	24
	Surrender or delivery of firearms, etc	
	59A Surrender by licensed dealer of firearms, etc	24
	59B Voluntary delivery to Police of firearms, etc	24
62	Section 62 amended (Right of appeal from official decisions)	24

63 Section 63 amended (Appeal to District Court Judge in respect of compensation) 25
64 Section 65 amended (Restoration of articles seized) 25
65 Section 66 amended (Occupier of premises or driver of vehicle deemed to be in possession of firearm, airgun, pistol, imitation firearm, restricted weapon, or explosive found therein) 25
66 Section 69 amended (Forfeitures) 25
67 Section 70 amended (Authorising disposal of firearms, etc, detained by Police) 25
68 Section 73 amended (Savings in respect of carriers and persons authorised to exercise powers of seizure) 25
69 Section 74 amended (Regulations) 25
70 Sections 74A and 74B replaced 26
74A Order in Council relating to definitions of prohibited firearm and prohibited magazine, and declaring prohibited ammunition 26
74B Orders under section 74A are confirmable instruments 26
74C Regulations providing for transitional matters 27
71 Section 77 repealed (Repeals) 27
72 Schedule replaced 27

Part 2
Consequential amendments and revocation

73 Consequential amendments to other enactments 28
74 Consequential amendments to Arms Regulations 1992 28
75 Revocation 28

Schedule 1 29
Schedule replaced

Schedule 2 33
Consequential amendments to other enactments

Schedule 3 35
Consequential amendments to Arms Regulations 1992

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Principal Act

This Act amends the Arms Act 1983 (the **principal Act**).

Part 1
Amendments to principal Act

4 Section 2 amended (Interpretation)

(1) In section 2(1), insert in their appropriate alphabetical order:

exempt person means a person listed in section 4A(1)

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

(2) In section 2(1), repeal the definition of **military style semi-automatic firearm**.

(3) In section 2(1), replace the definition of **part** with:

part—

(a) in relation to a pistol or a restricted weapon, includes any thing, such as a butt, stock, magazine, silencer, or sight, that, although not essential for the discharge by a pistol or a restricted weapon of any shot, bullet, missile, or other projectile, is designed to be, or is intended to be, an integral part of the pistol or restricted weapon; and

(b) in relation to a prohibited firearm, includes any thing, such as a butt, stock, magazine (other than a prohibited magazine), silencer, or sight, that, although not essential for the discharge by the prohibited firearm of any shot, bullet, missile, or other projectile, is designed to be, or is intended to be, an integral part of the prohibited firearm; and

(c) in relation to any firearm (other than a pistol, restricted weapon, or prohibited firearm), means the action for that firearm and, if relevant, includes the upper receiver and lower receiver, whether together or individually; and

(d) in relation to any firearm, includes any thing, such as bolt carrier group parts, trigger group parts, lower parts kits, barrel, gas block, gas tube, folding or telescoping stock, magazine loader, sub-calibre conversion kits, and carbine stock

(4) In section 2(1), definition of **restricted airgun**, replace "a restricted weapon, or a military style semi-automatic firearm" with "prohibited firearm, or restricted weapon" in each place.

(5) In section 2(2), replace "military style semi-automatic firearm," with "prohibited firearm," in each place.

5 New sections 2A to 2D inserted

After section 2, insert:

2A Meaning of prohibited firearm

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

(a) means any of the following firearms:

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

(A) a semi-automatic firearm that is capable of firing only 0.22 calibre or lower rimfire cartridges and that has a magazine, whether or not detachable or otherwise externally fed, that is capable of holding no more than 10 cartridges commensurate with that firearm's chamber size:

(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:

(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:

(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.

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),—

(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.

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.

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.

6 Section 3 amended (Act to bind the Crown)

In section 3(2) and (3), after "pistols,", insert "magazines, parts," in each place.

7 New section 3A inserted (Transitional, savings, and related provisions)

After section 3, insert:

3A Transitional, savings, and related provisions

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

8 New section 4A inserted (Persons who may apply to import, sell, supply, and possess, or use prohibited items)

After section 4, insert:

4A Persons who may apply to import, 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 or an employee or agent of 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).

(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.

9 Section 5 amended (Dealers to be licensed)

(1) Replace section 5(1) with:

(1) No person may, unless they hold a dealer's licence under this Act issued by a commissioned officer of the Police,—

(a) in the way of business sell any firearm, prohibited magazine, prohibited part, airgun, pistol, or restricted weapon; or

(b) manufacture for sale any firearm, prohibited magazine, prohibited part, airgun, pistol, or restricted weapon.

(2) In section 5(3), after "firearms,", insert "prohibited magazines,".

(3) After section 5(3A), insert:

(3B) Despite subsections (1) to (3), no dealer's licence may be issued for the manufacture for sale of prohibited items.

10 New section 6A inserted (Conditions of dealer's licence)

After section 6, insert:

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, restricted weapon (other than an air pistol), prohibited firearm, or prohibited magazine by virtue of that licence must—

(a) produce that pistol, 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, 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, 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.

11 Section 10 replaced (Restriction on possession of pistol or restricted weapon by licensed dealer)

Replace section 10 with:

10 Restriction on possession of pistol, prohibited items, or restricted weapon by licensed dealer

(1) No licensed dealer may take a pistol, prohibited firearm, prohibited magazine, or restricted weapon into their possession for sale unless the licensed dealer obtains it—

(a) pursuant to a permit issued for the purposes of section 16(1) or under section 35 or 35A; and

(b) either—

(i) from a holder of a firearms licence that bears an endorsement made under section 30 or 30B; or

(ii) from another licensed dealer.

(2) No licensed dealer may take a prohibited part into their possession for sale unless the licensed dealer obtains it—

(a) from a holder of a firearms licence that bears an endorsement made under section 30B; or

(b) pursuant to a permit issued for the purposes of section 16(1); or

(c) from another licensed dealer.

(3) Every person who contravenes subsection (1) or (2) commits an offence and is liable on conviction to a fine not exceeding $2,000.

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

12 Section 11 amended (Dealers and their employees and agents to hold firearms licences)

In section 11(1), after "pistol,", insert "prohibited item,".

13 Section 12 amended (Record of dealings by licensed dealers)

(1) In section 12(1), after "pistols," insert "prohibited items,".

(2) In section 12(2), after "pistols," insert "prohibited items," in each place.

(3) After section 12(3), insert:

(4) Subsection (3) is subject to section 59A(2).

14 Section 13 amended (Seizure of firearms, ammunition, airguns, pistols, and restricted weapons held by licensed dealers)

(1) In the heading to section 13, after "**pistols,**", insert "**prohibited items,**".

(2) In section 13(1), (2), (4), and (5), after "pistols,", insert "prohibited items,".

15 Section 14 amended (Disposal of firearms, ammunition, airguns, pistols, and restricted weapons of dealer whose licence is revoked)

(1) In the heading to section 14, after "**pistols,**", insert "**prohibited items,**".

(2) In section 14, after "pistols,", insert "prohibited items,".

16 Section 15 amended (Offence for licensed dealer to carry on business following revocation of his licence)

(1) In section 15(1), after "pistol,", insert "prohibited item,".

(2) In section 15(2), after "pistols,", insert "prohibited items," .

17 Cross-heading above section 16 replaced

Replace the cross-heading above section 16 with:

Importation of firearms and ammunition

18 Section 16 amended (Offence to import firearms, starting pistols, restricted airguns, or restricted weapons, or parts of firearms, starting pistols, or restricted weapons without permit)

(1) Replace the heading to section 16 with "**Offence to import firearms, etc, without permit**".

(2) Replace section 16(1) with:

(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, starting pistol, restricted airgun, or restricted weapon:

(b) any part of a firearm (other than a prohibited firearm), pistol, starting pistol, or restricted weapon:

(c) a prohibited item.

(3) In section 16(3), replace "subsection (1)" with "subsection (1)(a) or (b)".

(4) After section 16(3), insert:

(4) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 5 years who acts in contravention of subsection (1)(c).

19 New section 16A inserted (Offence to import prohibited ammunition)

After section 16, insert:

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.

(2) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 5 years who acts in contravention of subsection (1).

20 Section 17 amended (Burden of proof)

In section 17, replace "section 16 of this Act" with "section 16(1)(a) or (b)".

21 Section 18 amended (Issue of permits to import firearms, parts of firearms, or restricted airguns)

(1) Replace the heading to section 18 with "**Issue of permit to import**".

(2) Replace section 18(1) and (2) with:

(1) A member of the Police to whom an application is made for the issue of a permit for the purposes of section 16(1) may require the applicant to produce for examination and testing samples of any firearms, pistols, starting pistols, restricted airguns, prohibited magazines, prohibited parts, or restricted weapons of any kind referred to in the application that the member of the Police considers necessary.

(2) A member of the Police may grant an application for the issue of a permit for the purposes of section 16(1) in respect of the following items:

(a) any firearm (other than a firearm referred to in subsection (2A)) or starting pistol; or

(b) any part of an item described in paragraph (a).

(2A) The Commissioner may grant an application for the issue of a permit for the purposes of section 16(1) in respect of the following items:

(a) a pistol, prohibited item, restricted airgun, or restricted weapon; or

(b) any part of a pistol or restricted weapon.

(2B) The Commissioner may issue a permit under subsection (2A) only if—

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

(b) in case of an application by—

(i) a licensed dealer in respect of a prohibited item, the Commissioner is satisfied that the dealer is acting as an agent for a person who is the holder of a firearms licence that bears an endorsement made under section 30B that permits the person to possess the prohibited item; or

(ii) a person other than a licensed dealer in respect of a prohibited item, the person is the holder of a firearms licence that bears an endorsement under section 30B that permits the person to possess the prohibited item.

(2C) If the application for the issue of a permit for the purposes of section 16(1) is in relation to a prohibited part that may be used by a licence holder on or with a firearm that is not a prohibited firearm (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 enable the Police to verify the use of that part.

22 Section 18A amended (Expiration of permits to import firearms, starting pistols, restricted airguns, or restricted weapons, or parts of firearms, starting pistols, or restricted weapons)

Replace the heading to section 18A with "**Expiry of permits to import**".

23 Section 18B amended (Samples)

In section 18B(1), (2), and (3), replace "military style semi-automatic firearm" with "prohibited item" in each place.

24 Section 19 amended (Seizure of illegally imported items)

(1) In section 19, replace "military style semi-automatic firearm" with "prohibited item" in each place.

(2) In section 19, insert as subsection (2):

(2) A member of the Police or an officer of the New Zealand Customs Service who suspects on reasonable grounds that any prohibited ammunition has been brought or sent into New Zealand in breach of section 16A—

(a) may seize and detain the prohibited ammunition; and

(b) in effecting the seizure, may use any reasonably necessary force.

25 Section 20 amended (Restrictions on possession of firearms)

In section 20(2), replace "or a military style semi-automatic firearm or a restricted weapon" with ", prohibited item, or restricted weapon".

26 Section 22 amended (Exemptions)

In section 22(2)(a), replace "pistol or a" with "pistol, prohibited firearm, or".

27 Section 28 amended (Effect of revocation or surrender of firearms licence)

(1) In section 28(1) and (2), after "pistol,", insert "prohibited magazine, prohibited part,".

(2) In section 28(3) and (4), after "pistols,", insert "prohibited magazines, prohibited parts,".

28 Section 30 amended (Power to make endorsement in respect of pistols or restricted weapons)

In section 30, insert as subsection (2):

(2) A person whose firearms 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.

29 Section 30A amended (Application for endorsement in respect of military style semi-automatic firearm)

(1) Replace the heading to section 30A with "**Application for endorsement in respect of prohibited firearm or prohibited magazine**".

(2) Replace section 30A(1) with:

(1) An exempt person who is of or over the age of 18 years, and who is a holder of a firearms licence or is applying for a firearms licence, may apply for an endorsement on their licence permitting them to possess a prohibited firearm or prohibited magazine in their capacity as an exempt person.

(3) After section 30A(2), insert:

(2A) An application must state in which capacity referred to in section 4A(1) the applicant is an exempt person.

30 Section 30B replaced (Power to make endorsement in respect of military style semi-automatic firearm)

Replace section 30B with:

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 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), or (i), 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 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.

31 Section 31 amended (Possession of firearm, pistol, military style semi-automatic firearm, or restricted weapon for stage, film, or television purposes)

(1) In the heading to section 31, replace "**military style semi-automatic firearm**" with "**prohibited item**".

(2) In section 31, replace "military style semi-automatic firearm" with "prohibited item" in each place.

32 New section 31A inserted (Conditions of endorsements)

After section 31, insert:

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.

33 Section 32 amended (Conditions of endorsements)

Replace the heading to section 32 with "**Further conditions of endorsements in respect of pistols and restricted weapons**".

34 Section 33A replaced (Conditions of endorsement in respect of military style semi-automatic firearms)

Replace section 33A with:

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.

35 Section 33B amended (Revocation of endorsement in respect of military style semi-automatic firearms)

(1) Replace the heading to section 33B with "**Revocation of endorsement in respect of prohibited firearm or prohibited magazine**".

(2) In section 33B(2), replace "military style semi-automatic firearm" with "prohibited firearm or prohibited magazine".

36 Section 34 amended (Notification of change of address)

In section 34(2), replace "military style semi-automatic firearm" with "prohibited firearm, prohibited magazine" in each place.

37 Cross-heading above section 35 replaced

Replace the cross-heading above section 35 with:

Permits to possess pistols, restricted weapons, prohibited firearms, and prohibited magazines

38 Section 35 amended (Issue of permit to procure pistol, military style semi-automatic firearm, or restricted weapon)

(1) Replace the heading to section 35 with "**Issue of permit to possess pistol or restricted weapon**".

(2) In section 35(1) and (2), delete ", military style semi-automatic firearm," in each place.

(3) In section 35(1) and (2), replace "procure" with "possess".

(4) In section 35(2)(b), delete "or section 30B".

39 New section 35A inserted (Issue of permit to possess prohibited firearm or prohibited magazine)

After section 35, insert:

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—

- (a) the applicant is the holder of a dealer's licence; or
- (b) the applicant is not the holder of a dealer's licence, but—
  - (i) is the holder of a firearms licence; and
  - (ii) that licence bears an endorsement made under section 30B that permits the applicant to possess a prohibited firearm or prohibited magazine; and
  - (iii) the member of the Police to whom the application is made is satisfied that it is appropriate for the applicant to possess the prohibited firearm or prohibited magazine.

(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.

40 Section 38 amended (Removal of pistol, military style semi-automatic firearm, or restricted weapon out of New Zealand)

(1) In the heading to section 38, replace "**military style semi-automatic firearm**" with "**prohibited firearm, prohibited magazine**".

(2) In section 38(1), replace "military style semi-automatic firearm" with "prohibited firearm, prohibited magazine".

41 Cross-heading above section 39 replaced

Replace the cross-heading above section 39 with:

Miscellaneous obligations

42 Section 39 amended (Loss, theft, or destruction)

Replace section 39(1) with:

(1) This section applies if—

(a) a firearm, pistol, prohibited magazine, prohibited part, or restricted weapon is lost or stolen; or

(b) a firearm, pistol, prohibited magazine, prohibited part, or restricted weapon is destroyed.

(1A) The owner of the firearm, pistol, prohibited magazine, prohibited part, or restricted weapon must—

(a) immediately give written notice of the loss, theft, or destruction to a member of the Police; and

(b) give all information in their possession relating to the loss, theft, or destruction to a member of the Police.

43 Section 40 amended (On demand by Police person in possession of firearm, airgun, pistol, or restricted weapon to give name, address, and date of birth)

(1) Replace the heading to section 40 with "**Person in possession of firearm, etc, must give identifying information to Police**".

(2) In section 40(1), after "pistol,", insert "prohibited magazine, prohibited part,".

44 Section 43 amended (Selling or supplying firearm or airgun to unlicensed person)

In section 43(1)(a) and (3)(a), replace "military style semi-automatic firearm" with "prohibited item".

45 New section 43AA inserted (Possessing, selling, or supplying prohibited ammunition)

After section 43, insert:

43AA Possessing, selling, or supplying prohibited ammunition

Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 2 years who, without reasonable excuse,—

(a) possesses prohibited ammunition; or

(b) sells or supplies prohibited ammunition.

46 Section 43A amended (Mail order sale of firearm or ammunition)

In section 43A(2)(a), replace "military style semi-automatic firearm" with "prohibited item".

47 Section 44 amended (Selling or supplying pistol, military style semi-automatic firearm, or restricted weapon to person who does not hold permit to import or to procure)

(1) Replace the heading to section 44 with "**Selling or supplying pistol or restricted weapon to person who does not hold permit to possess**".

(2) In section 44(1), (2), and (4), delete ", military style semi-automatic firearm," in each place.

(3) In section 44(2), replace "supplied a pistol or a military style semi-automatic firearm" with "supplied a pistol".

48 New sections 44A and 44B inserted

After section 44, insert:

44A Offence to sell or supply prohibited firearm or prohibited magazine

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.

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.

49 Section 45 amended (Carrying or possession of firearms, airguns, pistols, restricted weapons, or explosives, except for lawful, proper, and sufficient purpose)

(1) Replace the heading to section 45 with "**Carrying or possessing firearms, etc, except for lawful, proper, and sufficient purpose**".

(2) In section 45(1) and (2), after "pistol,", insert "prohibited magazine,".

50 Section 49A amended (Unlawful possession of firearm or airgun after revocation of firearms licence)

(1) In the heading to section 49A, after "**firearm**", insert "**, prohibited magazine, prohibited part,**".

(2) In section 49A, after "firearm", insert ", prohibited magazine, prohibited part," in each place.

51 Section 50 amended (Unlawful possession of pistol, military style semi-automatic firearm, or restricted weapon)

(1) In the heading to section 50, delete "**, military style semi-automatic firearm,**".

(2) Repeal section 50(1)(c).

(3) In section 50(3), delete ", military style semi-automatic firearm," in each place.

52 New sections 50A to 50D inserted

After section 50, insert:

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.

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.

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.

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 7 years who, without lawful purpose, carries or possesses a prohibited firearm in a public place.

53 Section 51 amended (Unlawful carriage or possession in public place of firearm, airgun, pistol, ammunition, explosive, or restricted weapon)

Replace section 51(1) with:

(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.

54 New section 51A inserted (Presenting prohibited firearm at other person)

After section 51, insert:

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.

55 Section 52 amended (Presenting firearm, airgun, pistol, or restricted weapon at other person)

(1) In section 52(1), replace "presents a firearm" with "presents a firearm (other than a prohibited firearm)".

(2) In section 52(2), after "firearm", insert "(other than a prohibited firearm)".

56 New section 53A inserted (Use or attempted use of prohibited firearm to resist or prevent arrest or commit offence)

After section 53, insert:

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 7 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.

57 Section 54 amended (Use or attempted use of firearm, airgun, pistol, imitation firearm, restricted weapon, ammunition, or explosive to resist or prevent arrest or commit offence)

(1) Replace the heading to section 54 with "**Use or attempted use of firearm, etc, to resist or prevent arrest or commit offence**".

(2) In section 54(2), after "any firearm", insert "(other than a prohibited firearm)".

58 New section 54A inserted (Carrying prohibited firearm with criminal intent)

After section 54, insert:

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.

59 Section 55 amended (Carrying firearm, airgun, pistol, imitation firearm, restricted weapon, ammunition, or explosive with criminal intent)

(1) Replace the heading to section 55 with "**Carrying firearm, etc, with criminal intent**".

(2) In section 55(1) and (2), replace "any firearm" with "any firearm (other than a prohibited firearm)".

60 New sections 55A and 55B inserted

After section 55, insert:

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.

55B Offence of failing to produce firearm, etc, on demand or to permit inspection of firearm, etc

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 both, who, having a dealer's licence or firearms licence endorsed under section 30 or 30B, fails 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.

61 New sections 59A and 59B and cross-heading inserted

After section 59, insert:

Surrender or delivery of firearms, etc

59A Surrender by licensed dealer of firearms, etc

(1) A licensed dealer does not contravene section 10 if, on obtaining possession of any pistol, restricted weapon, or prohibited item from any person, the licensed dealer immediately surrenders the pistol, restricted weapon, or prohibited item to the nearest Arms Office for inspection and inquiries.

(2) A licensed dealer does not contravene section 12 if the licensed dealer does not record the particulars of a firearm that is received by that dealer and, within 5 working days, surrenders it to the nearest Arms Office for inspection and inquiries.

59B Voluntary delivery to Police of firearms, etc

(1) If any firearm, airgun, restricted weapon, prohibited item, or prohibited ammunition is delivered to the Police by a person who is not authorised to be in possession of it, it is affirmed that the Police have the discretion not to prosecute where the offence is considered to be one of possession only and there is no public interest in proceeding with the prosecution.

(2) *See also* Schedule 1 (which contains amnesty provisions).

Compare: 1961 No 43 s 59(4)

62 Section 62 amended (Right of appeal from official decisions)

(1) Repeal section 62(1)(a).

(2) Replace section 62(1)(b)(vi) with:

(vi) a permit under section 35 to possess a pistol or restricted weapon:

(vii) a permit under section 35A to possess a prohibited item; and

(3) Replace section 62(1)(c)(v) with:

(v) a permit under section 35 to possess a pistol or restricted weapon:

(vi) a permit under section 35A to possess a prohibited item; and

63 Section 63 amended (Appeal to District Court Judge in respect of compensation)

In section 63, after "imitation firearm,", insert "prohibited magazine, prohibited part,".

64 Section 65 amended (Restoration of articles seized)

In section 65, after "restricted weapon,", insert "prohibited magazine,".

65 Section 66 amended (Occupier of premises or driver of vehicle deemed to be in possession of firearm, airgun, pistol, imitation firearm, restricted weapon, or explosive found therein)

(1) In the heading to section 66, after "**restricted weapon,**", insert "**prohibited magazine,**".

(2) In section 66, after "restricted weapon,", insert "prohibited magazine," in each place.

66 Section 69 amended (Forfeitures)

In section 69(1) and (2), after "imitation firearm,", insert "prohibited magazine, prohibited part," in each place.

67 Section 70 amended (Authorising disposal of firearms, etc, detained by Police)

In section 70(1) and (2), after "imitation firearm,", insert "prohibited magazine, prohibited part," in each place.

68 Section 73 amended (Savings in respect of carriers and persons authorised to exercise powers of seizure)

In section 73(1), replace "a firearm, airgun, pistol, imitation firearm, restricted weapon, ammunition, or explosive" with "a firearm, an airgun, a pistol, an imitation firearm, a restricted weapon, a prohibited magazine, a prohibited part, ammunition, or an explosive" in each place.

69 Section 74 amended (Regulations)

(1) In section 74(1)(e), after "subject", insert ", or authorising the Commissioner to prescribe conditions of that kind".

(2) After section 74(1)(h), insert:

(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:

(3) In section 74(1)(i) and (j), after "pistols, ", insert "prohibited items,".

(4) In section 74(1)(l), after "firearms", insert ", magazines, and parts".

(5) After section 74(1)(la), insert:

(lb) prescribing limits for the purposes of section 4A(1)(f) to (i):

(lc) prescribing wild animals or animal pests for the purposes of section 4A(1)(i):

(6) After section 74(1)(r), insert:

(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:

70 Sections 74A and 74B replaced

Replace sections 74A and 74B with:

74A Order in Council relating to definitions of prohibited firearm and prohibited magazine, and declaring prohibited ammunition

The Governor-General may, by Order in Council made on the recommendation of the Minister of Police,—

(a) amend the description in section 2A of a semi-automatic firearm (except a 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 pistol) or pump-action shotgun 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.

74B Orders under section 74A are confirmable instruments

The explanatory note of an Order in Council made under section 74A must indicate that—

(a) it is a confirmable instrument under section 47B of the Legislation Act 2012; and

(b) it is revoked at a time stated in the note, unless earlier confirmed by an Act of Parliament; and

(c) the stated time is the applicable deadline under section 47C(1)(a) or (b) of that Act.

74C Regulations providing for transitional matters

(1) The Governor-General may, by Order in Council made on the recommendation of the Minister of Police, make regulations—

(a) providing transitional and savings provisions concerning the coming into force of the amendment Act that may be in addition to the transitional and savings provisions in Schedule 1:

(b) providing that (subject to any conditions specified in the regulations) during a specified transitional period,—

(i) specified provisions of this Act (including definitions or transitional and savings provisions) do not apply (or apply with modifications or additions):

(ii) specified provisions repealed or amended by the amendment Act continue to apply (or continue to apply with modifications or additions):

(iii) conditions for the possession and use of a prohibited item apply during the amnesty period (as defined in clause 1 of Schedule 1).

(2) The Minister may recommend the making of regulations under this section only if the Minister is satisfied that the regulations are necessary or desirable for the orderly implementation of the amendment Act.

(3) On the close of 31 December 2020,—

(a) this section is repealed; and

(b) any regulations made under it are revoked.

(4) To avoid doubt, regulations 28E and 28F (and the cross-heading above regulation 28E) of the Arms Regulations 1992, as inserted by section 74 and Schedule 3 of the amendment Act, may be amended or revoked by regulations made under this section as if they had been inserted by regulation.

(5) In this section, **amendment Act** means the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019.

71 Section 77 repealed (Repeals)

Repeal section 77.

72 Schedule replaced

Replace the Schedule with the Schedule 1 set out in Schedule 1 of this Act.

Part 2
Consequential amendments and revocation

73 Consequential amendments to other enactments

Amend the enactments specified in Schedule 2 as set out in that schedule.

74 Consequential amendments to Arms Regulations 1992

Amend the Arms Regulations 1992 as set out in Schedule 3.

75 Revocation

The Arms (Military Style Semi-automatic Firearms) Order 2019 (LI 2019/55) is revoked.

Schedule 1
Schedule replaced

s 72

Schedule 1
Transitional, savings, and related provisions

s 3A

Part 1
Provisions relating to Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019

1 Interpretation

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 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.

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.

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.

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.

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.

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.

Schedule 2
Consequential amendments to other enactments

s 73

Part 1
Amendments to other Acts

Corrections Act 2004 (2004 No 50)

In section 86(3), after "firearm", insert "(other than a prohibited firearm)".

Criminal Investigations (Bodily Samples) Act 1995 (1995 No 55)

In the Schedule, Part 3, replace the items relating to the Arms Act 1983 with:

Carrying or possessing firearms, etc, except for lawful, proper, and sufficient purpose	section 45
Unlawful possession of pistol or restricted weapon	section 50
Unlawful possession of prohibited firearm	section 50A
Unlawful possession of prohibited magazine	section 50B
Unlawfully carrying or possessing prohibited firearm in public place	section 50D
Unlawful carriage or possession in public place of firearm, airgun, pistol, ammunition, or explosive	section 51(1)
Use or attempted use of prohibited firearm to resist or prevent arrest or commit offence	section 53A(2)
Use or attempted use of firearm, etc, to resist or prevent arrest or commit offence	section 54(2)
Carrying prohibited firearm with criminal intent	section 54A
Carrying firearm, etc, with criminal intent	section 55

Family Violence Act 2018 (2018 No 46)

In section 8, definition of **weapon**, after "pistol,", insert "prohibited magazine, prohibited part,".

Legislation Act 2012 (2012 No 119)

In Schedule 2, replace the items relating to the Arms Act 1983 with:

Arms Act 1983	74A(a)
Arms Act 1983	74A(b)
Arms Act 1983	74A(c)
Arms Act 1983	74A(d)
Arms Act 1983	74A(e)

Local Government Act 2002 (2002 No 84)

In section 212, definition of **unauthorised weapon**, replace paragraph (b)(i) with:

Local Government Act 2002 (2002 No 84)—*continued*

(i) a firearm, airgun, pistol, prohibited firearm, prohibited magazine, restricted weapon, or explosive, as those terms are defined in the Arms Act 1983:

Search and Surveillance Act 2012 (2012 No 24)

In section 3(1), definition of **arms**, replace "restricted weapon, imitation firearm, or explosive (as those terms are defined in section 2 of the Arms Act 1983)," with "prohibited magazine, restricted weapon, imitation firearm, or explosive (as those terms are defined in the Arms Act 1983),".

Replace section 45(1)(b) with:

(b) against section 44, 44A, 45, 50, 50A, 50B, 50D, 51, 53A, 54, 54A, or 55 of the Arms Act 1983; or

Part 2
Amendment to legislative instrument

Gambling (Prohibited Property) Regulations 2005 (SR 2005/299)

In regulation 4(a), after "(including ammunition),", insert "prohibited magazine, prohibited part,".

Schedule 3
Consequential amendments to Arms Regulations 1992

s 74

Regulation 2

In regulation 2, revoke the definition of **reclassified MSSA**.

New regulation 2C

After regulation 2B, insert:

2C Prescribed wild animals and animal pests

The following wild animals and animal pests are prescribed for the purposes of section 4A(1)(i) of the Act:

(a) a wild animal as defined in paragraph (a) of the definition of that term in section 2(1) of the Wild Animal Control Act 1977:

(b) wallaby (*family Macropodidae*):

(c) feral rabbit:

(d) feral hare:

(e) Canada goose (*Branta canadensis*).

Regulation 7

In regulation 7(1), replace "military style semi-automatic firearm" with "prohibited firearm, prohibited magazine".

Replace regulation 7(2)(c) and (d) with:

(c) except in the case of a pistol, restricted weapon, or prohibited item received under section 59A of the Act, the name and address of the person from whom the item is received; and

(d) except in the case of a pistol, restricted weapon, or prohibited item received under section 59A of the Act, or a restricted airgun received from a person of or over the age of 18 years, the number of the firearms licence of the person from whom the item is received.

Replace regulation 7(4)(e) with:

(e) in the case of a pistol, prohibited firearm, prohibited magazine, or restricted weapon delivered to a person who requires a permit to possess it, the date and place of issue of the permit.

Replace regulation 7(4A) with:

(4A) On and after the date on which the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 comes into force, every licensed dealer must record, in respect of any prohibited item for which the dealer keeps other particulars under any of subclauses (2) to (4), that the item is a prohibited item.

Regulation 8

In regulation 8(h), after "cannon)", insert "and prohibited items".

Cross-heading above regulation 10

In the cross-heading above regulation 10, replace "*military style semi-automatic firearms,*" with "*prohibited items,*".

Regulation 10

In the heading to regulation 10, replace "**military style semi-automatic firearms,**" with "**prohibited items,**".

Replace regulation 10(1) with:

(1) An application for a permit to import a firearm, prohibited item, pistol, starting pistol, restricted airgun, or restricted weapon, or any part of a firearm (other than a prohibited firearm), pistol, starting pistol, restricted airgun, or restricted weapon into New Zealand must be made—

(a) in writing in hard copy form, in accordance with subclause (2); or

(b) electronically through an Internet site.

In regulation 10(3)(c) and (e), replace "military style semi-automatic firearm," with "prohibited item," in each place.

Regulation 12

In regulation 12(1), replace "military style semi-automatic firearm" with "prohibited firearm, prohibited magazine" in each place.

After regulation 12(1), insert:

(1A) Every person who imports into New Zealand a prohibited magazine that does not bear a serial number must, within 30 days after the day on which it is imported, stamp or cause to be stamped, in clear view on that magazine, a number by which the magazine may be identified.

Regulation 13

In regulation 13(1)(a) and (b), replace "military style semi-automatic firearm" with "prohibited magazine".

In regulation 13(2)(e) and (f), replace "military style semi-automatic firearm" with "prohibited magazine, prohibited part".

Regulation 18

In regulation 18, replace "military style semi-automatic firearm" with "prohibited firearm, prohibited magazine" in each place.

Cross-heading above regulation 20A

In the cross-heading above regulation 20A, replace "*military style semi-automatic firearms*" with "*prohibited firearms, prohibited magazines*".

Regulation 20B

In the heading to regulation 20B, replace "**military style semi-automatic firearm**" with "**prohibited firearm or prohibited magazine**".

In regulation 20B, replace "military style semi-automatic firearm" with "prohibited firearm".

Cross-heading above regulation 23A

Replace the cross-heading above regulation 23A with "*Permits to possess pistols, prohibited firearms, prohibited magazines, and restricted weapons*".

Regulation 23A

Replace the heading to regulation 23A with "**Manner of applying for permit to possess**".

In regulation 23A, replace "procure" with "possess" in each place.

In regulation 23A(1), replace "military style semi-automatic firearm" with "prohibited firearm, prohibited magazine".

Regulation 24

Replace the heading to regulation 24 with "**Application for permit to possess pistol, prohibited firearm, prohibited magazine, or restricted weapon**".

In regulation 24(1), replace "procure a pistol, military style semi-automatic firearm" with "possess a pistol, prohibited firearm, prohibited magazine".

In regulation 24(1)(d), (e), and (f), replace "military style semi-automatic firearm" with "prohibited firearm, prohibited magazine".

Regulation 25

In regulation 25, replace "procure a pistol, military style semi-automatic firearm" with "possess a pistol, prohibited firearm, prohibited magazine".

Regulation 26

In regulation 26(1)(a), replace "permit to procure a pistol, military style semi-automatic firearm," with "permit to possess a pistol, prohibited firearm, prohibited magazine, ".

In regulation 26(1)(c), (1A), (2), and (3), replace "military style semi-automatic firearm" with "prohibited firearm, prohibited magazine" in each place.

Regulation 26A

In regulation 26A(1)(a), (2), and (5), replace "military style semi-automatic firearm" with "prohibited firearm, prohibited magazine".

In regulation 26A(1)(b) and (4), replace "procure" with "possess".

Regulation 27

Replace regulation 27(1) with:

(1) Every person who hands over possession of any pistol, prohibited firearm, prohibited magazine, or restricted weapon to a person who holds a permit to possess that pistol, prohibited firearm, prohibited magazine, or restricted weapon must, if that pistol, prohibited firearm, prohibited magazine, or restricted weapon does not bear a serial number, stamp, or cause to be stamped, in clear view on the frame of that pistol, prohibited firearm, or restricted weapon, or on that prohibited magazine, before it is handed over, a number by which that pistol, prohibited firearm, prohibited magazine, or restricted weapon may be identified.

Regulation 28

In the heading to regulation 28, replace "**military style semi-automatic firearms**" with "**prohibited firearms, prohibited magazines**".

In regulation 28(1)(c), replace "or military style semi-automatic firearm" with ", prohibited firearm, prohibited magazine,".

In regulation 28(1), (2), (3), and (5), replace "military style semi-automatic firearm" with "prohibited firearm, prohibited magazine" in each place.

Cross-heading above regulation 28D

Revoke the cross-heading above regulation 28D.

Regulation 28D

Replace regulation 28D with:

28D Commissioner may prescribe conditions on licences, etc

The Commissioner may prescribe conditions on—

(a) a dealer's licence:

(b) a firearms licence:

(c) a permit issued under section 18 of the Act:

(d) an endorsement made under section 30 or 30B of the Act:

(e) a permit issued under section 35 or 35A of the Act.

Transitional and savings provisions relating to amendment Act

28E Definitions for transitional regulation

In regulation 28F,—

commencement means the date on which the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 comes into force

Regulation 28D—*continued*

existing manufacturing business means a person that, before commencement, is in the business of manufacturing prohibited magazines or prohibited parts (or both) for the purposes of permitted supply

existing supply business means a person that, before commencement, is in the business of permitted supply

permitted supply means—

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

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

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

28F Existing businesses involved in permitted supply of prohibited magazines or prohibited parts are exempt persons

(1) Section 4A of the Act (and the definition of **exempt person** in section 2(1) of the Act) apply as if section 4A were modified to also list the following persons in their capacity as—

(a) an existing manufacturing business that, for the purposes of permitted supply, manufactures prohibited magazines or prohibited parts (or both) and uses prohibited items to test and demonstrate its prohibited magazines or prohibited parts (or a person employed or engaged by that business):

(b) an existing supply business that carries out permitted supply and uses prohibited items to test and demonstrate prohibited magazines or prohibited parts (or both) for that purpose (or a person employed or engaged by that business).

(2) Section 5(3B) of the Act does not apply to a person referred to in subclause (1)(a) in that capacity.

(3) This regulation applies on and from commencement until the close of 31 December 2020.

Regulation 29

Revoke regulation 29.

Regulation 31A

In regulation 31A, after "pistols,", insert "prohibited magazines, prohibited parts," in each place.

Regulation 31B

In regulation 31B, after "pistol,", insert "prohibited magazine, prohibited part,".

Schedule

In the Schedule, item relating to endorsements, revoke paragraph (b).

Notes

1 General

This is a consolidation of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019 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

Wellington, New Zealand:
Published under the authority of the New Zealand Government—2026