

Submission form

Arms regulations: review of fees 2022

8 December 2022 – 16 February 2023



Te Kāwanatanga o Aotearoa
New Zealand Government

1. Introduction

1.1 Making a submission

This form is designed to help you respond to the options and proposals in the *Arms regulations: review of fees 2022* discussion document. We're interested in your thoughts on whether the proposals are fit for purpose and whether you foresee any unintended consequences.

You can complete this form and email it to us at armsactfees@police.govt.nz.

Alternatively, you can print out this form, complete it by hand, then mail it to:

Policy Group
Police National Headquarters
PO Box 3017
Wellington 6011

If you prefer to use an online survey to submit your feedback, please go to www.consultation.police.govt.nz/policy/arms-regulations-review-of-fees

All submissions within the scope of this consultation that are received before the closing date will be considered. The closing date for submissions is **midnight, 16 February 2023**.

You don't have to answer all questions

- All questions are optional – you may answer as few or as many as you like.
- You are welcome to raise other matters or address the questions in other ways.
- If you're mainly interested in the options for the standard firearms licence, you can answer those questions only (1 – 8).

1.2 Report

Each submission received will be read and analysed, then all the information will be collated. Your feedback will help Police to identify problems and solutions in relation to the options and proposals in this document. The collated results of submissions will be considered by the Government, alongside Police's recommendations. Any new fee schedule will be notified in the New Zealand Gazette and posted on Police's website when it comes into effect.

1.3 Official Information Act 1982

The Official Information Act 1982 (the OIA) applies to any submission you make and to any personal information you provide. The OIA provides that information held (by Police) must be made available unless there is good reason to withhold it. Accordingly, if Police receives a request under the OIA for your information, we will discuss that with you, where practicable, before responding to the request.

2. Submitter details

Your submission, or a summary of your submission, may be made publicly available on Police's website. If you are submitting as an individual (not on behalf of a group or organisation, nor in your professional capacity) your personal details and identifiable information will be removed. Please indicate in the following box if you do not want your submission published on Police's website.

- I do not want my submission published on Police's website

Requests for a copy of your submission may be made under the Official Information Act 1982. Please indicate in the following below if you want your personal details removed from your submission.

- I want my personal details removed from my submission

Name

Email

Age group

- under 20
 20 – 29
 30 – 39
 40 – 49
 50 – 59
 60 – 69
 70 – 79
 80+

Gender

- Male
 Female
 Other

Ethnicity

- Māori
 NZ European
 Other (please write)

Group / organisation

- I'm making this submission on behalf of a group or organisation
 I'm making this submission on behalf of myself as an individual

If yes, which group/organisation?

Do you hold a current firearms licence?

- Yes
 No

3. Licence fees

3.1 Firearms licence

Should the firearms safety training course fee be set on a full or partial cost recovery basis?

Applying to enrol in the safety training course is to be separated from the application for a firearms licence and paid for separately from the application for a firearms licence.

1. Should the safety training course fee be set on

- a full cost recovery basis?
- a partial cost recovery basis?

Please select one

If you chose partial cost recovery, on what basis should it be set?

2. Assuming that the safety training course is paid for separately, three partial cost recovery options are proposed for the firearms licence application fee whether for a 5-year licence or a 10-year licence. At which of the following potential rates should the fee for a firearms licence (excluding the fee for the safety training course fee) be partially set?

A. 25% of full cost (estimated between \$208.55 (5-year) and \$242.50 (10-year)).

- Yes No

B. 50% of full cost (estimated between \$417.10 (5-year) and \$485.00 (10-year)).

- Yes No

C. 75% of full cost (estimated between \$625.60 (5-year) and (\$727.50 (10-year)).

- Yes No

If you answered no to all partial cost recovery options above, on what basis do you think a partial cost recovery fee should be set?

3. It's proposed to investigate the possibility of payment by instalment. The proposal is that the first payment would be the largest payment, and that it would include an additional cost to cover the administration of paying by instalment.

If the fee for a firearms licence is increased significantly (that is the fee set at more than 50% of the cost), would you support Police investigating an option to issue a firearms licence conditional on a specified payment schedule?

- Yes
- No

If you selected no, do you have any other suggestions or ideas?

4. Firearms licence application costs may present a barrier for those on low household incomes, those who need to use firearms to supplement their food sources, or those who require a firearms licence to gain employment. Do you have any suggestions for support mechanisms outside the general firearms licensing system?

- Yes
- No

If yes, how might this be done?

- 5.** If the firearms licence fee is set at either 50% or 75% of cost, offering a discount for those applying to renew their licence within a specified period in advance of the current licence expiring may minimise the risk of a firearms licence expiring before a decision is taken on the application. The discount could provide an incentive to apply early for renewal, meaning a drop in the number of expired licences. It would also provide more time to process an application.

If the fee is set at 50% or 75% of cost, do you consider a 10% discount is sufficient to encourage timely applications before their licence expires?

Yes

No

If you selected no, what level of discount would be sufficient?

3.2 Dealer's licence

It's proposed that the dealer's licence application fee is set at full cost recovery. Dealers must apply for their licence annually. There are two options proposed:

- A.** A fixed annual fee (the total cost to Police averaged across all the applications estimated as between \$2,330 and \$2,570) or
- B. 1:** Different average fees for first-time applications (\$2,330 and \$2,570) and subsequent applications (estimated between \$1,760 and \$1,940) or
- 2:** A fixed estimated fee (between \$1,000 and \$1,100) and variable fee per licenced employee (between \$190 and \$210 per employee up to 8), which would take into account the amount of regulatory effort required.

- 6.** Should the annual fee for a dealer's licence be set on a full cost recovery basis?

Yes

No

If you selected no, do you have any other suggestions or ideas?

7. How should the annual fee for a dealer's licence be set?

- Option A:** a fixed annual fee at the same average rate for both first-time and subsequent applicants
- Option B:** with different average annual fee depending on whether the application is a first-time or subsequent application

Please select one

8. If different average annual fees are set (Option B), how should they be set?

- Option B.1:** a fixed average with a lower average fee for second and subsequent applications?
- Option B.2:** a fixed average base fee plus a variable fee for second and subsequent applications based on the size of the dealer business?

Do you have any other suggestions or ideas on how to set these different fees?

3.3 Dealer's licence – museum director/curator

For museum directors/curators, proposals are presented to charge either the same as for other dealers, or to set the fee at zero. A zero fee would take into account the reduced regulatory activities for these dealers compared to other dealers. It would apply only where certain conditions apply, including (i) a charitable/not for profit member of Museums Aotearoa, (ii) adhere to their Code of Ethics and Professional Practice 2021, (iii) the museum is open for educational and cultural purposes, and (iv) meets conditions regarding the purchase and disposal of arms items.

9. Should a museum/curator dealer application be:

- Option A:** set at the same fee as for other dealer applications
- Option B:** zero, if conditions prescribed in proposed regulation are met

Please select one.

If you selected neither, do you have any other suggestions or ideas?

10. Do you agree with the conditions for a museum director/curator dealer fee set at zero? Namely, that the museum:

- a. operates as a charitable trust or not-for-profit organisation
- b. is a member of 'Museums Aotearoa' and adheres to that organisation's 'Code of Ethics and Professional Practice 2021'
- c. acquires arms items through donation, purchase from another museum or on loan
- d. meets prescribed conditions for the disposal of arms items (please refer to page 27 of the discussion document for these conditions)

- Yes
- No

If you selected no, do you have any other suggestions or ideas?

11. Should any of the conditions listed in question 10 be removed?

- Yes
- No

If yes, what and why?

12. Should other conditions be added to those listed in question 10?

Yes

No

If yes, what and why?

3.4 Fee for visitor licence

Visitor licences are issued to people visiting New Zealand, for example, those wishing to compete in a sports shooting event or to go hunting.

It's proposed that the current fee of \$25 is increased to recover the full cost. This would result in a fee estimated at between \$420 and \$470.

13. Should the fee for a firearms visitor licence be set at full cost recovery?

Yes

No

If you selected no, do you have any other suggestions or ideas?

4. Endorsements on dealer's licence

4.1 Dealer endorsements (including museum director/curator)

Dealers who possess pistols, prohibited firearms, prohibited magazines, or restricted weapons for the purpose(s) of dealer activities are required to have an endorsement on their dealer's licence.

Before a dealer takes possession of any prohibited firearm, prohibited magazine, pistol or restricted weapon, the dealer must first obtain a permit to import or permit to possess and that makes the endorsement on the dealer's licence specific to that item. These items cannot be sold, hired, lent, or displayed based on the dealer's personal firearms licence.

The endorsement is valid if the dealer's licence remains current. Endorsements must be applied for each time an application is made for the dealer's licence. Endorsements applied to a dealer's licence last for the term of the licence (which is 12 months).

It is proposed to set the fee for all dealer's endorsements to cover the additional cost of regulatory activities (estimated between \$110 and \$130).

14. Should the fee for each endorsement held on a dealer's licence be based on the additional cost of issuing an annual dealer's licence?

Yes

No

If you selected no, do you have any other suggestions or ideas?

4.2 Dealer employee endorsements (including theatrical armourers)

Employees of dealers who handle or have access to firearms or ammunition must hold a firearms licence. Employees who handle pistols, prohibited items or restricted weapons also require an endorsement(s). This is assigned to their five or 10-year licence. However, the employee endorsement(s) must be renewed annually. This usually happens when the employer's dealer's licence is renewed.

It is proposed to set the application for a dealer employee endorsement(s) at the full cost of the regulatory activities. The proposed cost reflects whether it is a first application (estimated cost between \$250 and \$270) or a second or subsequent endorsement(s) (estimated cost between \$110 and \$130).

15. Should the fee for one or more endorsements held as a dealer employee be set at full cost recovery?

Yes

No

If you selected no, do you have any other suggestions or ideas?

16. Should the fee be the same for a first-time endorsement(s), no matter how many endorsements are sought as a dealer employee?

Yes

No

If you selected no, do you have any other suggestions or ideas?

17. Should the fee be lower for a second and subsequent endorsement(s), no matter how many endorsements are sought as a dealer employee?

Yes

No

If you selected no, do you have any other suggestions or ideas?

5. Endorsements on firearms licence and permits to possess

5.1 Licence endorsements

Endorsements applied to a firearms licence are in force for the term of the licence.¹ Examples of what an endorsement enables a licence holder to do include possessing a pistol, or possessing firearms as mementos or possessing firearms (in blank-firing configuration) for theatrical re-enactments.

It's proposed that fees are increased to better cover the cost of regulatory activity. Two options are considered:

- **Option A** proposes a fixed average fee for all endorsement types (estimated between \$1,370 – \$1,510).
- **Option B** proposes average fees to reflect the different types of regulatory oversight: pistols (\$1,350 – \$1,490); prohibited firearms for pest control (\$930 – \$1,020); memento (\$930 – \$1,020); and fixed plus variable fees for bona fide collector ((\$1,230 – \$1,360) plus \$10 for each item held); theatrical re-enactment fixed fee plus variable ((\$1,230 – \$1,360) plus \$10 for each item held).

Irrespective of the level of fee set:

18. Should the endorsement fee be set at:

- Option A** – the same fixed average fee for all types of endorsements
- Option B** – for possession of a pistol, or prohibited item for pest control, or a memento/heirloom firearm): a different fixed average fee for each endorsement type

Do you have any other suggestions or ideas?

19. Option B – for bona fide and theatrical re-enactment endorsements: Should the endorsement fee for bona fide and theatrical re-enactment endorsements be set at a base fixed fee plus a variable fee (the variable fee being set according to the number of arms items held)?

¹ Endorsement for pest control applies only for 2.5 years

Yes

No

If you selected no, do you have any other suggestions or ideas?

20. If you think the fee for each endorsement type should not be set at full cost recovery, on what basis should it be set?

21. The estimated full cost recovery fee assumes that the application for endorsement coincides with the application for a firearms licence. If the application for endorsement is made during the duration of the licence, there is an extra cost to Police. One or more endorsements applied for at the same time should attract a single fee. Endorsements applied for at different times during the life of the licence should attract separate fees.

It's proposed to apply an additional fee when the application is made within the duration of the licence estimated between \$590 – \$650.

Should an additional fee be set to meet the additional work required when an application for endorsement (or endorsements) is made in the duration of the licence?

Yes

No

If you selected no, do you have any other suggestions or ideas?

22. Do you consider that the application for endorsement for a renewal of the same endorsement should be set at a lesser fee than for a first-time application for that endorsement?

Yes

No

If you selected no, do you have any other suggestions or ideas?

5.2 Permit to possess an item needing endorsement

It is proposed to set a new average fee based on full cost recovery at \$40 per permit.

23. Do you agree that a full cost recovery fee should be charged for permits to possess?

Yes

No

If you selected no, do you have any other suggestions or ideas?

24. Do you agree that the fee for a permit to possess should be averaged across all permits to possess, irrespective of the type of item being obtained?

Yes

No

If you selected no, do you have any other suggestions or ideas?

6. Miscellaneous fees

6.1 Fees for additional place of business

A dealer's licence is issued in respect of one place of business. Where a dealer hires out firearms and restricted weapons for theatrical/cinematic/television production, and the use of these items is supervised by an on-site theatrical armourer, that person must hold written consent specifying the location of the site(s) and the duration of the production at that site.

There are two reasons to request an additional place of business – either a consent for an additional site or sites when this involves an on-site theatrical armourer, or consent for a gun show or auction.

6.1.1 Fees for changed place of business (dealer employing a theatrical armourer)

There is currently no fee for the approval of an additional site involving a theatrical armourer. It is proposed to set a fee which if at full cost recovery would be between \$2,140 – \$2,360

25. Should the fee for a consent to an activity at an additional business site supervised by an on-site theatrical armourer be set at full cost recovery?

Yes

No

If you selected no, do you have any other suggestions or ideas?

6.1.2 Fee for consent to hold/attend a gun show or auction

It's proposed to set a two-part fee based on the average estimated full cost to Police. The first fee would be for approval (estimated at \$1,020 – \$1,120). The second fee would be for the attendance cost to Police, (estimated at \$1,120 – \$1,240 per Police person per day) which may be spread across multiple dealers if more than one is attending a particular gun show or auction.

26. Should the fee for consent for a dealer to display, sell, or supply firearms at a gun show or auction be set at the estimated full cost to Police?

Yes

No

If you selected no, do you have any other suggestions or ideas?

27. Irrespective of your answer to 26, should the fee for the consent for a dealer to display, sell, supply firearms at a gun show or auction be comprised of a fixed fee and a variable component to cover the cost of Police's site attendance?

Yes

No

If you selected no, do you have any other suggestions or ideas?

28. Should the variable component referred to in 27 be spread across the number of dealers sharing the service at a specific gun show?

Yes

No

If you selected no, do you have any other suggestions or ideas?

29. If you answered yes to 28 above, should applications be made 90 days in advance of the gun show or auction so as to enable the variable component referred to in 27 and 28 to be spread across multiple dealers?

Yes

No

If you selected no, do you have any other suggestions or ideas?

6.2 Fee for notification and approval of an ammunition seller

A person with a firearms licence can sell ammunition (but not firearms), provided they have notified Police of their intention to undertake this business activity, meet secure storage requirements, and maintain records of sales. The notification is renewed when the firearms licence is renewed (maximum of five years if a first-time licence holder or 10 years if a second or subsequent licence holder). There is currently no fee for this regulatory activity, despite the ammunition seller deriving commercial benefit from it.

It's proposed to set an average fee for a notification and approval for a non-dealer to sell ammunition as part of a non-firearms-related business.

30. Do you agree that a full cost recovery fee should be set for the regulatory oversight of an ammunition seller?

Yes

No

If you selected no, do you have any other suggestions or ideas?

6.3 Fee for mail order/internet sales

Domestic sales by mail order or over the internet don't take place face-to-face. Those seeking to trade or exchange firearms, certain firearm parts and ammunition using these processes must ensure that the transaction is with a person who is legally able to possess the item that's being traded or transferred.

The mail order/internet approval process is time-consuming for both Police and the applicant seeking to purchase an arms item or ammunition. The process is likely to be simplified for most applicants when the registry becomes available after June 2023. Until then it's proposed to set the fee for a mail order application at zero. This fee may be revisited after the registry becomes operational.

31. Do you agree that no fee should be charged for mail order and domestic internet sales?

Yes

No

If you selected no, do you have any other suggestions or ideas?

6.4 Fee for import permits

Anyone seeking to import any firearm, firearm parts (including prohibited magazines, restricted airguns, restricted weapons, and ammunition) must hold a firearms licence and apply to Police for an import permit. An import permit is also required for blank-firing guns which may require examination to check that they cannot be readily modified into a firearm.

Imports are necessary, as there is very little manufacturing of firearms in New Zealand.

6.4.1 Fee for import permit for firearms, firearm parts (including magazines), prohibited magazines, restricted airguns, restricted weapons

There is currently no fee for import permits for firearms, parts (including magazines), prohibited magazines, restricted airguns, restricted weapons. If set at a fixed full cost, recovery fee it would be \$540 – \$590 (Option A) or if set at a fixed fee plus variable \$42 – \$46 plus \$5 per each item type and major firearms part as defined in the Arms Regulations 1992 (Option B).

32. Do you agree to a fee for import permits set at full cost recovery?

Yes

No

If you selected no, do you have any other suggestions or ideas?

33. Do you prefer:

Option A: a fixed fee

Option B: a fixed fee plus a variable fee

Please select one.

Do you have any other suggestions or ideas?

6.4.2 Fee for import permit for ammunition

It's proposed that the fee to import any quantity of a specific type of ammunition be set at a full cost recovery of \$540 – \$590.

34. Do you agree that a full cost recovery fee should be set for permits to import ammunition irrespective of the quantity or type of ammunition imported?

Yes

No

If you selected no, do you have any other suggestions or ideas?

6.4.3 Fee for import sample

The Arms Act 1983 (the Act) enables Police to require an applicant for an import permit to produce items for examination and testing. The examination and testing of a sample of an arms item requires the expertise of a Police armourer, or a qualified ammunition technician in the case of ammunition. At full cost recovery it is estimated to be set at \$1,230 – \$1,360. At present there is no fee for this activity.

35. Do you agree that a fee for an import sample should be the cost of an assessment of a sample by a qualified Police armourer or equivalent qualified person?

Yes

No

If you selected no, on what basis should the fee be set?

6.5 Fee for replacement card or permit

The Act provides for a fee to be set for the issue of a replacement card or permit with evidence of loss or destruction. The fee is proposed to be set at \$40.

36. Do you agree that the fee to issue a replacement firearms licence or permit be set at full cost recovery?

Yes

No

If you selected no, on what basis should the fee be set?

6.6 Fee variation to endorsement – permission to carry

It's an offence to carry any firearm held on endorsement beyond the dwelling and the section it sits on, except where the conditions of the endorsement for that item specifically allow for this to take place. Licence holders must apply for permission to carry firearms to any place not specified on the conditions of their endorsement. If set at full cost recovery, the proposed fee would be \$1,020 – \$1,100 and an additional fee of \$560 – \$620 if Police attendance at site is required.

37. Do you agree that an application to obtain a permit to carry an endorsed item beyond the dwelling and the section in which it sits being set at an average full cost recovery fee?

Yes

No

If you selected no, on what basis should the fee be set?

6.7 Modification/assembly of firearms

It's possible that a person may wish to apply to modify their prohibited firearm to a non-prohibited firearm in some circumstances such as no longer needing a firearm for pest control purposes. Likewise, an endorsed licence holder may wish to assemble or modify a non-prohibited firearm to a prohibited firearm. For the purposes of the registry a person who applies to manufacture a prohibited firearm through assembly, modification or vice versa must provide the Police information for inclusion in the registry. This includes a copy of a report from a Police-employed armourer confirming the converted firearm has been appropriately modified, and if converted to a non-prohibited firearm that the modification is irreversible. The average cost for the examination, report, and return or disposal of the modified firearm is estimated between \$1,230 and \$1,360 per item.

38. Do you agree that a full cost recovery fee should be charged for assessment of a modified firearm by a qualified Police-employed armourer?

Yes

No

If you selected no, on what basis should the fee be set?

Thank you for your feedback