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as at 23 September 2026

Arms Amendment Act 1992

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Note

Changes authorised by subpart 2 of Part 3 of the Legislation Act 2019 have been made in this consolidation. See the notes at the end of this consolidation for further details.

This Act is administered by the Ministry of Justice.

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An Act to amend the Arms Act 1983

BE IT ENACTED by the Parliament of New Zealand as follows:

1 Short Title and commencement

(1) This Act may be cited as the Arms Amendment Act 1992, and shall be read together with and deemed part of the Arms Act 1983 (hereinafter referred to as the principal Act).

(2) Except as provided in section 7(2) of this Act, this Act shall come into force on the 1st day of November 1992.

2 Interpretation

(1) Section 2 of the principal Act is hereby amended by repealing the definition of the term **antique firearm**, and substituting the following definition:

Antique firearm means—

(a) Any firearm that—

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

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

(b) Any firearm declared by regulations made under this Act to be an antique firearm for the purposes of this Act:.

(2) Section 2 of the principal Act is hereby further amended by repealing the definition of the term **member of the Police**, and substituting the following definitions:

Member of the Police means—

(a) A sworn member of the Police of New Zealand of any rank; and

(b) Every non-sworn member of the Police of New Zealand issued, under section 6(2) of the Police Act 1958, with a warrant to exercise any particular power, function, or duty of a member of the Police under this Act (except a power to arrest or search any person):

Military style semi-automatic firearm means—

(a) A firearm which, after being loaded, fires, ejects, and chambers a cartridge with each pull of the trigger; but

(b) Does not include—

(i) A pistol; or

(ii) A semi-automatic firearm that, with its magazine (if any), is maintained at all times in a sporting configuration:

Part—

(a) In relation to a pistol, restricted weapon, or military style semi-automatic firearm, includes any thing, such as a butt, stock, magazine, silencer, or sight, which, while not essential for the discharge by a pistol, restricted weapon, or military style semi-automatic firearm of any shot, bullet, missile, or other projectile, is designed or intended to be an integral part of a pistol, restricted weapon, or military style semi-automatic firearm; and

(b) In relation to any other firearm, means the action for that firearm:.

(3) Section 2 of the principal Act is hereby further amended by adding, after the definition of the term **specially dangerous airgun**, the following definitions:

Sporting configuration, in relation to a semi-automatic firearm, means being without any of the following features

(a) A folding or telescopic butt:

(b) A magazine that is capable of holding, or that, by its appearance, indicates that it is capable of holding,—

(i) In the case of a magazine designed to hold .22 inch rimfire cartridges, more than 15 cartridges; or

(ii) In any other case, more than 7 cartridges:

(c) Bayonet lugs:

(d) A military pattern free-standing pistol grip:

(e) A flash suppressor:

Working day means any day of the week other than—

(a) Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign's birthday, and Waitangi Day; and

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

3 Act to bind the Crown

(1) Section 3(2) of the principal Act (as amended by section 2 of the Arms Amendment Act 1989) is hereby amended by repealing paragraph (a), and substituting the following paragraph:

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

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

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

(iii) An employee of the Institute of Environmental Health and Forensic Sciences Limited; or

(iv) An officer or agent of Government Supply Brokerage Corporation (NZ) Limited:

(2) The Arms Amendment Act 1989 is hereby consequentially repealed.

4 Gun shows

The principal Act is hereby amended by inserting, after section 7, the following section:

7A

(1) Notwithstanding anything in sections 6 and 7 of this Act, a dealer's licence may, with the consent of a commissioned officer of Police, apply from time to time, for a period not exceeding 5 days at any one time, in respect of a place of business other than the place of business in respect of which the dealer's licence was issued.

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

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

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

(3) Any consent given under subsection (1) of this section shall be given subject to the condition specified in subsection (4) of this section and to such other conditions (if any) as are specified by the commissioned officer of Police.

(4) It shall be a condition of any consent given under subsection (1) of this section that the licensed dealer close, for the duration of the period in respect of which the consent is given, the place of business in respect of which the dealer's licence was issued.

5 Offence to import firearms or parts of firearms without permit

Section 16 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

(1) No person shall bring or cause to be brought or sent into New Zealand—

(a) Any firearm, pistol, military style semi-automatic firearm, starting pistol, or restricted weapon; or

(b) Any parts of a firearm, pistol, military style semi-automatic firearm, starting pistol, or restricted weapon,—

otherwise than pursuant to a permit issued to that person by a member of the Police.

6 New sections substituted

The principal Act is hereby amended by repealing sections 18 and 19, and substituting the following sections:

18 Issue of permits to import firearms or parts of firearms

(1) Any member of the Police to whom application is made for the issue of a permit for the purposes of section 16(1) of this Act—

(a) May require the applicant to produce for examination and testing such samples of any firearms, pistols, military style semi-automatic firearms, starting pistols, or restricted weapons of any kind referred to in the application as the member of the Police may consider necessary; and

(b) May, in the discretion of that member of the Police, refuse to grant the permit with respect to—

(i) Any firearm, pistol, military style semi-automatic firearm, starting pistol, or restricted weapon of any kind; or

(ii) Any parts of a firearm, pistol, military style semi-automatic firearm, starting pistol, or restricted weapon of any kind.

(2) Without limiting the discretion conferred by subsection (1)(b) of this section, no application for a permit for the purposes of section 16(1) of this Act in respect of—

(a) A pistol, military style semi-automatic firearm, or restricted weapon; or

(b) Parts of a pistol, military style semi-automatic firearm, or restricted weapon,—

shall be granted otherwise than by the Commissioner who shall first be satisfied that there are special reasons why the pistol, military style semi-automatic firearm, or restricted weapon or parts to which the application relates should be allowed into New Zealand.

(3) Any permit issued for the purposes of section 16(1) of this Act is personal to the person to whom it is issued and may not be transferred to any other person.

(4) Any permit issued for the purposes of section 16(1) of this Act may be at any time revoked by a commissioned officer of Police.

18A Expiration of permits to import firearms or parts of firearms

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

18B Samples

(1) Where an applicant is, pursuant to a requirement made under section 18(1)(a) of this Act by a member of the Police, required to produce for examination and testing a sample of any firearm, pistol, military style semi-automatic firearm, starting pistol, or restricted weapon, the applicant shall, as soon as practicable, produce that sample in accordance with that requirement and shall ensure that the sample has not been modified in any way before it is so produced.

(2) Where any firearm, pistol, military style semi-automatic firearm, starting pistol, or restricted weapon which is brought into New Zealand pursuant to a permit issued for the purposes of section 16(1) of this Act and which is required by its description in that permit to correspond with a sample produced to a member of the Police does not so correspond and is not otherwise approved for importation into New Zealand, the person who brought the firearm, pistol, military style semi-automatic firearm, starting pistol, or restricted weapon into New Zealand or caused it to be brought or sent into New Zealand shall, within 12 months after being informed in writing by a member of the Police that it does not so correspond and that it is not otherwise approved for importation into New Zealand, export it, or cause it to be exported, from New Zealand.

(3) If any firearm, pistol, military style semi-automatic firearm, starting pistol, or restricted weapon to which subsection (2) of this section relates is not exported from New Zealand within the period of 12 months specified in that subsection, that firearm, pistol, military style semi-automatic firearm, starting pistol, or restricted weapon may be disposed of in such manner as the Commissioner may direct.

19 Seizure of illegally imported firearms or parts of firearms

If any member of the Police or officer of the Customs has reasonable grounds to suspect that any firearm or restricted weapon or part of a firearm or restricted weapon has been brought into New Zealand in breach of section 16(1) of this Act or has been brought into the harbours or other territorial waters of New Zealand and is intended to be brought into New Zealand in breach of section 16(1) of this Act, that member or officer—

(a) May seize that firearm or restricted weapon or part of a firearm or restricted weapon and detain the same; and

(b) In effecting the seizure of that firearm or restricted weapon or part of a firearm or restricted weapon, may use such force as is reasonably necessary.

7 Restrictions on possession of firearms

(1) Section 20 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsection:

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

(2) This section shall come into force on the 1st day of May 1993.

8 Application for firearms licence

Section 23 of the principal Act is hereby amended by adding the following subsection:

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

9 Duration of firearms licence

The principal Act is hereby amended by repealing section 25, and substituting the following section:

25

Every firearms licence shall come into force on a date to be specified in the licence and, unless sooner revoked or surrendered, shall continue in force for the period of 10 years beginning on that date.

10 Domestic violence and firearms licences

The principal Act is hereby amended by inserting, after section 27, the following section:

27A

Without limiting the generality of sections 24 and 27 of this Act, it is hereby declared that a commissioned officer of Police may, under either or both of those sections, decide that a person is not a fit and proper person to be in possession of a firearm or airgun if that commissioned officer of Police is satisfied,—

(a) That there are grounds under the Domestic Protection Act 1982 for the making against that person of an application for a non-violence order or an application for a non-molestation order; or

(b) That a non-violence order or a non-molestation order is in force under the Domestic Protection Act 1982 in respect of that person.

11 Application for endorsements in respect of pistol or restricted weapon

Section 29(2) of the principal Act is hereby amended by repealing paragraph (e), and substituting the following paragraph:

(e) An approved employee or approved member of any body, being—

(i) A broadcaster within the meaning of the Broadcasting Act 1989; or

(ii) A bona fide theatre company or society or cinematic or television film production company or video recording production company; or

12 Power to make endorsement in respect of pistols or restricted weapons

Section 30(c)(iii) of the principal Act is hereby amended by inserting, after the words "television film", the words "or making a video recording".

13 New sections inserted

The principal Act is hereby amended by inserting, after section 30, the following sections:

30A Application for endorsement in respect of military style semi-automatic firearm

(1) Any person, being of or over the age of 18 years and being an applicant for a firearms licence or the holder of a firearms licence, may apply at an Arms Office to a member of the Police for an endorsement permitting that person to have possession of a military style semi-automatic firearm.

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

(3) Every applicant shall permit a member of the Police to take, or to cause to be taken, for the purposes of the application, a photograph or photographs of the applicant.

30B Power to make endorsement in respect of military style semi-automatic firearm

On receiving an application under section 30A of this Act, a member of the Police may, subject to any direction from the Commissioner, make the endorsement applied for if that member is satisfied that the applicant is a fit and proper person to be in possession of the military style semi-automatic firearm to which that application relates.

14 Possession of firearm, pistol, military style semi-automatic firearm, or restricted weapon for stage, film, or television purposes

The principal Act is hereby amended by repealing section 31, and substituting the following section:

31

Notwithstanding anything in this Act, a person who is not entitled under this Act to have possession of a firearm or pistol or military style semi-automatic firearm or restricted weapon may have possession of that firearm or pistol or military style semi-automatic firearm or restricted weapon for the purpose of making a broadcast or producing or staging a play or filming a cinematic production or television film if—

(a) That person is under the immediate supervision of a person who is entitled under this Act to have possession of that firearm or pistol or military style semi-automatic firearm or restricted weapon; and

(b) That person has possession of that firearm or pistol or military style semi-automatic firearm or restricted weapon only during the broadcast or the production or staging of the play or the filming of the cinematic production or television film; and

(c) That person is not in possession of any ammunition (other than blank ammunition) for the firearm or pistol, or military style semi-automatic firearm or restricted weapon.

15 New sections inserted

The principal Act is hereby amended by inserting, after section 33, the following sections:

33A Conditions of endorsement in respect of military style semi-automatic firearms

(1) It is a condition of every endorsement made under section 30B of this Act that the holder of the firearms licence observes, in respect of every military style semi-automatic firearm or part thereof in that holder's possession, such security precautions as are required by regulations made under this Act.

(2) Any member of the Police may, on the direction of the Commissioner, impose, as conditions of an endorsement made by that member of the Police under section 30B of this Act, such conditions with regard to the use or custody of a military style semi-automatic firearm (being conditions additional to that specified in subsection (1) of this section) as that member of the Police thinks fit.

33B Revocation of endorsement in respect of military style semi-automatic firearms

(1) If, in the opinion of a commissioned officer of Police, any person whose licence bears an endorsement made under section 30B of this Act—

(a) Would not, on an application made under section 30A of this Act, be entitled to have that endorsement made on that person's firearms licence; or

(b) Has failed to observe any condition of that endorsement,—

that commissioned officer may, by notice in writing signed by that commissioned officer, revoke that endorsement, and that person shall upon demand surrender that person's firearms licence to a member of the Police for cancellation of the endorsement.

(2) On the revocation of an endorsement pursuant to this section, the holder of the firearms licence shall cease to be entitled to have possession of a military style semi-automatic firearm, whether or not the firearms licence is surrendered pursuant to subsection (1) of this section.

(3) The provisions of this section are in addition to the provisions of sections 27 to 28 of this Act.

16 Notification of change of address

Section 34(2) of the principal Act is hereby amended by omitting the words "pistol or restricted weapon" in both places where they occur, and substituting in each case the words "pistol, military style semi-automatic firearm, or restricted weapon".

17 New sections inserted

The principal Act is hereby amended by inserting, after section 34, the following heading and sections:

Photographs

34A Power to require or take photographs of applicants

Regulations made under this Act or a member of the Police may require an applicant for a dealer's licence or an applicant for a firearms licence or a person who applies under section 29(1) or section 29(2) or section 30A or section 36 of this Act for an endorsement—

(a) To supply, for the purposes of the application, a photograph or photographs of the applicant or person; or

(b) To permit a member of the Police to take or to cause to be taken, for the purposes of the application, a photograph or photographs of the applicant or person; or

(c) To comply with both paragraph (a) and paragraph (b) of this section.

34B Effect of non-compliance with requirements in relation to photographs or to calling-in of licences

Without limiting the generality of the provisions of sections 5, 9, 24, 27, 29, 30A, 33B, and 36 of this Act, it is hereby declared that a commissioned officer of Police may, under any of those provisions, refuse an application or revoke a licence or an endorsement if that commissioned officer of Police is satisfied, that the applicant or licence holder—

(a) Has wilfully failed to comply with any requirements imposed by or under this Act in relation to the affixing to dealers' licences or firearms licences of photographs of licence holders or to the imaging into such licences of such photographs; or

(b) Has, on having his or her firearms licence called in by the Commissioner under section 33 of the Arms Amendment Act 1992, wilfully failed to deliver his or her firearms licence to an Arms Office in accordance with a notice given to that licence holder under that section.

18 Issue of permit to procure pistol, military style semi-automatic firearm, or restricted weapon

The principal Act is hereby amended by repealing section 35, and substituting the following section:

35

(1) A permit to procure a pistol, military style semi-automatic firearm, or restricted weapon may be issued only by a member of the Police acting under a direction of the Commissioner.

(2) A permit to procure a pistol, military style semi-automatic firearm, or restricted weapon may be issued if the member of the Police to whom the application is made is satisfied—

(a) That the person to whom it is issued is a licensed dealer; or

(b) That the person to whom it is issued is the holder of a firearms licence that bears an endorsement made under section 30 or section 30B of this Act and that, by virtue of that licence and its endorsement, that person is permitted to have possession of the pistol, military style semi-automatic firearm, or restricted weapon, as the case may be.

(3) Every permit issued under this section shall, unless sooner revoked, remain in force for such period, not exceeding 1 month, as may be specified in the permit.

(4) Any permit issued under this section may at any time during its currency be revoked by a commissioned officer of Police.

19 Removal of pistol, military style semi-automatic firearm, or restricted weapon out of New Zealand

Section 38 of the principal Act is hereby amended by omitting the words "pistol or restricted weapon", and substituting the words "pistol, military style semi-automatic firearm, or restricted weapon".

20 Selling or supplying firearm or airgun to unlicensed person

Section 43 of the principal Act is hereby amended—

(a) By omitting from subsection (1)(a) the words "pistol or restricted weapon", and substituting the words "pistol, military style semi-automatic firearm, or restricted weapon":

(b) By omitting from subsection (3)(a) the words "pistol or a restricted weapon", and substituting the words "pistol, military style semi-automatic firearm, or restricted weapon".

21 New sections inserted

The principal Act is hereby amended by inserting, after section 43, the following sections:

43A Mail order sale of firearm or ammunition

(1) Every person commits an offence and is liable on summary conviction to a fine not exceeding $1,000 who sells by mail order a firearm or any ammunition for a firearm or restricted weapon otherwise than pursuant to a written order—

(a) Signed by the purchaser; and

(b) Bearing an endorsement signed by a member of the Police and stating that the member of the Police—

(i) Has inspected the purchaser's firearms licence; and

(ii) Is satisfied that the purchaser is a fit and proper person to purchase that firearm or ammunition.

(2) Nothing in this section applies in relation to—

(a) Any pistol, restricted weapon, or military style semi-automatic firearm; or

(b) Any ammunition for a firearm to which paragraph (a) or paragraph (b) or paragraph (c) of section 22(1) of this Act applies.

43B Restriction on sales of ammunition

(1) Every person commits an offence and is liable on summary conviction to a fine not exceeding $1,000 who sells or supplies ammunition for any firearm or restricted weapon to a person who is not—

(a) The holder of a firearms licence; or

(b) A licensed dealer.

(2) In any prosecution for an offence against subsection (1) of this section in which it is proved that the defendant sold or supplied ammunition for a firearm or restricted weapon to any person, the burden of proving that that person was—

(a) The holder of a firearms licence; or

(b) A licensed dealer,—

shall lie on the defendant.

(3) It is a good defence to a prosecution for an offence against subsection (1) of this section if the defendant proves—

(a) That the ammunition was supplied to a person for use under the immediate supervision of the holder of a firearms licence; and

(b) That at all times while the person to whom the ammunition was supplied was in possession of the ammunition, that person was under the immediate supervision of the holder of a firearms licence.

(4) A defendant may, in the case of a prosecution for an offence against subsection (1) of this section, discharge the burden of proof placed on the defendant by subsection (2) of this section by proving that the defendant took reasonable steps to ascertain whether the person to whom the ammunition was sold or supplied was—

(a) The holder of a firearms licence; or

(b) A licensed dealer.

(5) Nothing in this section applies in relation to any ammunition for a firearm to which paragraph (a) or paragraph (b) or paragraph (c) of section 22(1) of this Act applies.

22 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) Section 44 of the principal Act is hereby amended by repealing subsections (1) and (2), and substituting the following subsections:

(1) Every person commits an offence and is liable on conviction on indictment to imprisonment for a term not exceeding 3 years or to a fine not exceeding $4,000 or to both who sells or supplies a pistol, military style semi-automatic firearm, or restricted weapon to any person other than a person who is authorised—

(a) By a permit issued for the purposes of section 16(1) of this Act to bring or cause to be brought or sent into New Zealand that pistol, military style semi-automatic firearm, or restricted weapon; or

(b) By a permit issued under section 35 of this Act to procure that pistol, military style semi-automatic firearm, or restricted weapon.

(2) In any prosecution for an offence against subsection (1) of this section in which it is proved that the defendant sold or supplied a pistol or a military style semi-automatic firearm or a restricted weapon to any person, the burden of proving that that person was the holder of—

(a) A permit which was issued for the purposes of section 16(1) of this Act and which authorised that person to bring or cause to be brought or sent into New Zealand that pistol, military style semi-automatic firearm, or restricted weapon; or

(b) A permit which was issued under section 35 of this Act and which authorised that person to procure that pistol, military style semi-automatic firearm, or restricted weapon,—

shall lie on the defendant.

(2) Section 44(4) of the principal Act is hereby amended by inserting, after the word "pistol", the words ", military style semi-automatic firearm,".

23 Carrying or possession of firearms, airguns, pistols, restricted weapons, or explosives, except for lawful, proper, and sufficient purpose

(1) Section 45 of the principal Act (as amended by section 2(1) of the Arms Amendment Act 1987) is hereby amended by omitting the words "conviction on indictment to imprisonment for a term not exceeding 2 years or to a fine not exceeding $4,000", and substituting the words "conviction on indictment to imprisonment for a term not exceeding 4 years or to a fine not exceeding $5,000".

(2) Section 2(1) of the Arms Amendment Act 1987 is hereby consequentially repealed.

24 Being in charge of firearm, airgun, pistol, or restricted weapon while under influence of drink or drug

Section 47 of the principal Act is hereby amended by omitting the expression "$ 1,000", and substituting the expression "$3,000".

25 Discharging firearm, airgun, pistol, or restricted weapon in or near dwelling-house or public place

Section 48 of the principal Act is hereby amended by omitting the expression "$ 1,000", and substituting the expression "$3,000".

26 Unlawful possession of firearm or airgun after revocation of firearms licence

The principal Act is hereby amended by inserting, after section 49, the following section:

49A

Every person commits an offence and is liable on summary conviction to imprisonment for a term not exceeding 1 year or to a fine not exceeding $4,000 or to both who, being a person whose firearms licence has been revoked, is in possession of a firearm or airgun at a time when that person is not the holder of a firearms licence, and is not a person authorised, expressly or by implication, by or pursuant to this Act, to be in possession of that firearm or airgun.

27 Unlawful possession of pistol, military style semi-automatic firearm, or restricted weapon

(1) Section 50(1) of the principal Act is hereby amended by adding the following paragraph:

(c) Is in possession of a military style semi-automatic firearm and is not a person authorised or permitted, expressly or by implication, by or pursuant to this Act, to be in possession of that military style semi-automatic firearm.

(2) Section 50 of the principal Act is hereby further amended by repealing subsection (3), and substituting the following subsection:

(3) In any prosecution for an offence against subsection (1) of this section in which it is proved that the defendant was in possession of a pistol, military style semi-automatic firearm, or restricted weapon, the burden of proving that the defendant was authorised or permitted, expressly or by implication, by or pursuant to this Act to be in possession of that pistol, military style semi-automatic firearm, or restricted weapon shall lie on the defendant.

28 Right of appeal from official decisions

(1) Section 62(1)(a) of the principal Act is hereby amended by inserting, after subparagraph (i), the following subparagraph:

(ia) Consent under section 7A of this Act; or

(2) Section 62(1)(a) of the principal Act is hereby amended by repealing subparagraphs (iv) and (v), and substituting the following subparagraphs:

(iv) An endorsement under section 30 or section 30B or section 36 of this Act; or

(v) A permit under section 35 of this Act, to procure a pistol, military style semi-automatic firearm, or restricted weapon,—

(3) Section 62(1)(b) of the principal Act is hereby amended by repealing subparagraphs (iv) and (v), and substituting the following subparagraphs:

(iv) Endorsement under section 30 or section 30B or section 36 of this Act; or

(v) Permit, under section 35 of this Act, to procure a pistol, military style semi-automatic firearm, or restricted weapon,—

29 Search of suspected persons and seizure of firearms in cases of domestic violence

The principal Act is hereby amended by inserting, after section 60, the following section:

60A

If any member of the Police has reasonable grounds to suspect, in relation to any person,—

(a) That that person has in that person's possession or under that person's control in any place any firearm, airgun, pistol, restricted weapon, ammunition, or explosive; and

(b) Either—

(i) That there are grounds under the Domestic Protection Act 1982 for the making against that person of an application for a non-violence order or an application for a non-molestation order; or

(ii) That a non-violence order or a non-molestation order is in force under the Domestic Protection Act 1982 in respect of that person,—

the member of the Police may, without warrant, exercise the powers specified in paragraphs (a) to (c) of subsection (2) of section 60 of this Act, and subsections (3) and (4) of that section shall apply in relation to the exercise of those powers pursuant to this section.

30 Service of documents

The principal Act is hereby amended by inserting, after section 72, the following section:

72A

(1) Any notice or other document required or authorised by this Act to be served on or given to any person shall be in writing and shall be sufficiently served on or given to that person if it is—

(a) Delivered to that person; or

(b) Left at that person's usual or last known place of abode or business or at an address specified by that person for the purpose of any application made under this Act; or

(c) Posted in a letter addressed to that person by name at that person's last known place of abode or business or at an address specified by that person for the purpose of any application made under this Act.

(2) Without limiting the provisions of subsection (1) of this section, any notice or other document required or authorised by this Act to be served on or given to any person shall be deemed to have been duly served on or given to that person if it is given—

(a) To any person appearing to have attained the age of 16 years and to be residing at the place of residence of that person; or

(b) To any solicitor or other agent of that person who is duly authorised by that person to receive the same.

(3) If the person is deceased, the notice or other document may be served on or given to that person's personal representatives.

(4) If the person is absent from New Zealand and his or her place of abode or business outside New Zealand is not known to the person by whom the notice or other document is to be served or given, the notice or other document shall (unless it can be served on or given to an agent in New Zealand of the person who is absent from New Zealand) be served or given in such manner as may be directed by an order of a District Court.

(5) Where any notice or other document is sent by post in accordance with subsection (1)(c) of this section,—

(a) It shall, if sent to an address in New Zealand, be deemed, in the absence of evidence to the contrary, to have been served or given on the 4th working day after the date on which it was posted; and

(b) It shall, if sent to an address outside New Zealand, be deemed in the absence of evidence to the contrary, to have been served or given on the 60th working day after the date on which it was posted; and

(c) In proving service, it shall be sufficient to prove that the letter was properly addressed and posted.

(6) Notwithstanding anything in the foregoing provisions of this section, a District Court may in any case make an order directing the manner in which any notice or other document is to be served or given, or dispensing with the service or giving thereof.

(7) This section does not apply to notices or other documents served or given in any proceedings in any Court.

31 Regulations

(1) Section 74(1) of the principal Act is hereby amended by inserting, after paragraph (b), the following paragraph:

(ba) Providing for photographs of licence holders to be affixed to or imaged into dealers licences or firearms licences or both and prescribing requirements in relation to those photographs:

(2) Section 74(1) of the principal Act is hereby further amended by inserting, after paragraph (l), the following paragraph:

(la) Declaring any firearm to be an antique firearm for the purposes of this Act:

(3) Section 74(1)(o) of the principal Act is hereby amended by inserting, after the word "ammunition", the words "or parts of firearms or restricted weapons".

Transitional provisions

32 Duration of existing firearms licences

Every firearms licence in force on the 1st day of November 1992 shall, unless sooner cancelled, revoked, or surrendered, expire with the close of the 31st day of October 2002.

33 Calling-in of existing firearms licences

(1) At any time before the close of the 31st day of October 2002, the Commissioner may, by notice given to any person who was on the 1st day of November 1992 the holder of a firearms licence, call in that person's firearms licence.

(2) Where any person who was the holder of a firearms licence on the 1st day of November 1992 is given a notice under subsection (1) of this section, that person, if then the holder of a firearms licence, shall, by the close of such date as is specified in the notice (which date shall be not less than 2 months after the date of the notice), comply with section 34 or section 35 of this Act.

(3) The notice shall, among other things, inform the licence holder of the substance of section 34B of the principal Act and of section 38 of this Act.

34 Surrender of firearms licences

If the holder of the firearms licence does not wish to continue to be the holder of a firearms licence, he or she shall surrender his or her firearms licence by delivering it or causing it to be delivered to a member of the Police at an Arms Office.

35 Applications for new firearms licences

(1) If the holder of the firearms licence wishes to continue to be the holder of a firearms licence, he or she—

(a) Shall attend in person at an Arms Office and there deliver to a member of the Police—

(i) The holder's firearms licence or a letter explaining why the holder is unable to deliver his or her firearms licence; and

(ii) Two photographs of the holder of the firearms licence; and

(b) Shall, at the same time as he or she complies with paragraph (a) of this subsection, complete at the Arms Office—

(i) An application for a new firearms licence; and

(ii) Such applications (if any) as are required under any of the provisions of sections 29(1), 29(2), 30A(1), and 36 of the principal Act in respect of endorsements.

(2) The photographs of the holder of the firearms licence (which shall be identical) shall comply with such other requirements (including requirements as to size) as are specified in the notice.

36 Re-issue of firearms licences

Where a person who was the holder of a firearms licence on the 1st day of November 1992 and who wishes to continue to be the holder of a firearms licence complies with section 35 of this Act by the close of the date specified in the notice given to that person under section 33(1) of this Act, a member of the Police shall consider whether that person is a fit and proper person to be

in possession of a firearm or airgun, and, if satisfied that that person is such a person, shall cancel that person's existing firearms licence and, subject to section 24(2) of the principal Act and to compliance by that person with any notice given to that person under section 37(2) of this Act, issue a new firearms licence to that person.

37 Photographs of holders of firearms licences or dealers' licences

(1) Every member of the Police who issues a firearms licence or a dealers' licence on or after the 1st day of November 1992 shall ensure that a photograph of the holder of the licence is affixed to or imaged into the licence.

(2) Notwithstanding that an applicant for a firearms licence or a dealers' licence, or a person to whom a notice has been given under section 33(1) of this Act, has supplied photographs of himself or herself to an Arms Office, a member of the Police may give to that person a notice requiring that person to attend at an Arms Office for the purpose of having his or her photograph taken.

(3) Every notice given to a person under subsection (2) of this section shall specify the days on which and the times during which that person may have his or her photograph taken at the Arms Office.

38 Effect of failure to respond to calling-in of firearms licence

(1) Where a notice under section 33(1) of this Act is given to a person who was the holder of a firearms licence on the 1st day of November 1992 and that person does not, within the period of 6 months beginning with the date on which that notice was given to that person, comply with section 34 or section 35 of this Act, that licence, unless sooner cancelled, revoked, or surrendered, shall be deemed to be revoked as from the close of that period.

(2) Where a licence is deemed to be revoked by subsection (1) of this section, the person to whom the licence was issued shall cease to be licensed to possess firearms, airguns, pistols, or restricted weapons by virtue of that licence or any endorsement on it.

39 Power to reinstate licences deemed to be revoked

(1) Notwithstanding anything in section 38 of this Act, where a person whose firearms licence has been revoked by section 38(1) of this Act satisfies a member of the Police, before the close of the 31st day of October 2002, that—

(a) That person did not receive the notice sent to that person under section 33(1) of this Act; or

(b) That person has a reasonable excuse for failing to comply with section 35 of this Act,—

that member of the Police may direct that that person's firearms licence be reinstated as from the time when it was deemed to be revoked.

(2) No member of the Police shall give a direction under subsection (1) of this section for the reinstatement of any person's firearms licence unless that member of the Police is satisfied that that person has delivered to an Arms Office—

(a) That firearms licence or a letter explaining why that person is unable to produce that firearms licence; or

(b) The photographs required by that notice.

(3) Where a firearms licence is reinstated under subsection (1) of this section, a member of the Police shall forthwith proceed to consider under section 36 of this Act whether that person is a fit and proper person to be in possession of a firearm or airgun and sections 36 and 37 of this Act shall, with all necessary modifications, apply accordingly.

Consolidation notes

1 General

This is a consolidation of the Arms Amendment Act 1992 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 About this consolidation

This consolidation is not an official version of the legislation under section 78 of the Legislation Act 2019.

3 Amendments incorporated in this consolidation

Arms Act 2026 (2026 No 47): section 392

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