



CONDITIONS AND REQUIREMENTS FOR FIREARMS LICENCES AND ENDORSEMENTS

Firearms licences and endorsements ("B", "C" and "E") which permit the holder to have pistols, restricted weapons or military style semi-automatic firearms, are issued subject to special conditions and requirements. The Arms Act 1983 and the Arms Regulations 1992 specify some conditions and give the Police the authority to set others.

A holder of a "B", "C" or "E" endorsement has special responsibilities. It is important that every holder knows the requirements and abides by them.

The Police may revoke the licence endorsement of any person who fails to observe any of the conditions.

This information sheet sets out the conditions imposed by Police and the main conditions that are in the law. It also includes the specifications for the security required for the safe storage of firearms that are held pursuant to endorsed licences.

CONDITIONS RELATING TO THE CARRIAGE OF PISTOLS AND RESTRICTED WEAPONS BEYOND DWELLING

The following are conditions endorsed on firearm licences under section 30 of the Arms Act 1983.

1 Pistol club members

In respect of an application under section 29(2)(a) of the Arms Act 1983, the licence and/or endorsement will be subject to the condition that the pistol club member is authorised to carry pistols only between his or her place of residence and a pistol club range, a police station or a licensed arms dealer; or a gunsmith for the purposes of repair; or otherwise as permitted in writing in a particular case by an Arms Officer.

2 Collectors/firearms held as antiques

In respect of an application under section 29(2)(b) of the Arms Act 1983, the licence and/or endorsement will be subject to the condition that the bona fide collector is authorised to carry pistols and restricted weapons only between his or her place of residence and a police station, or a place at which there is to be held an organised sale or exhibition and the firearm is to be displayed at that place; or otherwise as permitted in writing in a particular case by an Arms Officer. This condition also applies to the carriage of antique firearms.

3 Heirloom and memento owners

In respect of an application under section 29(2)(c) of the Arms Act 1983, the licence and/or endorsement will be subject to the condition that the owner of the heirloom or memento may possess the firearm only within the limits of his or her dwelling house, except as permitted in writing in a particular case by the Arms Officer.

4 Museums

In respect of an application under section 29(2)(d) of the Arms Act 1983, the licence and/or endorsement will be subject to the condition that the pistols or restricted weapons held pursuant to the licence endorsement remain within the limits of the museum, except as permitted in writing in a particular case by an Arms Officer.

5 Stage / film / television productions

In respect of an application under section 29(2)(e) of the Arms Act 1983, the licence and/or endorsement will be subject to the condition that the approved member of the body is authorised to carry the particular pistol or restricted weapon approved by police for that purpose, only between the place of storage of the firearm and a police station or the theatre, studio, or other place at which the production is to take place or be filmed or recorded; or otherwise as permitted in writing in a particular case by an Arms Officer. It is a condition of this endorsement that the holder comply with section 12 of the Code of Practice for Safety and Health in the New Zealand Film and Video Production Industry.

ARMS ACT 1983

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

Notwithstanding anything in this Act, a person who is not entitled under this Act to have possession of a firearm or pistol or 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 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.

Section 32 — Conditions of Endorsements —

- (1) It is a condition of every endorsement made under section 30 of this Act that the holder of the firearms licence —
 - (a) Observes, in respect of every pistol or restricted weapon or part of a restricted weapon in his possession, such security precautions as are required by regulations made under this Act; and
 - (b) Ensures that every restricted weapon in his possession is both rendered inoperable by the removal of a vital part and maintained, by reason of the removal of a vital part, in an inoperable condition.
- (2) Any member of the Police may, on the direction of the Commissioner, impose, as conditions of an endorsement made by that member of the Police under section 30 of this Act, such conditions with regard to the use or custody of the pistol or restricted weapon (being conditions additional to those specified in subsection (1) of this section) as that member of the Police thinks fit.

Section 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.

ARMS REGULATIONS 1992

Regulation 22 — Conditions of endorsements in respect of pistols and restricted weapons —

- (1) Where an endorsement made under section 30 of the Act permits a person to have possession of a pistol in his or her capacity as a member of an incorporated pistol shooting club for the time being recognised by the Commissioner for the purposes of section 29 of the Act, that endorsement shall be subject to the following conditions:
 - (a) A condition that that person may use the pistol only for target pistol shooting on a pistol range approved by the Commissioner for the purpose;
 - (b) A condition that that person participate actively in the affairs of the pistol shooting club by taking part in its activities, on the pistol range used by that club, on at least 12 days in each year.
- (2) Where an endorsement made under section 30 of the Act permits a person to have possession of a pistol or a restricted weapon in his or her capacity as —
 - (a) A bona fide collector of firearms; or

- (b) A person to whom the pistol or restricted weapon has special significance as an heirloom or memento; or
- (c) The Director or Curator of a bona fide museum; or
- (d) An approved employee or approved member of any body, being —
 - (i) A broadcaster within the meaning of the Broadcasting Act 1989; or
 - (ii) Any bona fide theatre company or society or cinematic or television film production company or video recording production company, —

that endorsement shall be subject to the condition that that person shall not under any circumstances use live ammunition in the pistol or restricted weapon.

- (3) The conditions imposed by subclauses (1) and (2) of this regulation are in addition to any other conditions imposed by or under the Act or these regulations.

Regulation 28 — Security precautions in relation to pistols, military style semi-automatic firearms, and restricted weapons

- (1) Every person who is lawfully entitled to possession of a pistol, military style semi-automatic firearm, or restricted weapon other than an air pistol by virtue of a permit under section 18 of the Act or a firearms licence endorsed under section 30 or section 30B of the Act shall ensure that, except when the pistol, military style semi-automatic firearm, or restricted weapon is in his or her immediate physical possession or is being used, in accordance with section 31 of the Act, for the purpose of making a broadcast or producing or staging a play or filming a cinematic production or television film or is in the custody of a licensed dealer or a member of the Police, it is —
 - (a) Kept in a steel and concrete strongroom of sound construction and of a type approved for the time being in writing either generally or in the particular case by a member of the Police; or
 - (b) Kept in a room of stout and secure construction capable of being adequately secured against unlawful entry, being in every case a room which is approved for the purpose by a member of the Police and which meets the following requirements:
 - (i) The room shall be in structurally sound condition;
 - (ii) The doors that give access to the room, and their locks, bolts, hinges, and other fastenings shall be in good condition;
 - (iii) The windows, skylights, or other things intended to cover openings to the room, and their locks, bolts, hinges, and other fastenings shall be in good condition;
 - (iv) The doors referred to in subparagraph (ii) of this paragraph and the windows, skylights and other things referred to in subparagraph (iii) of this paragraph shall be capable of being secured against unlawful entry; or
 - (c) Locked in a steel safe or steel box or steel cabinet (being in every case a safe, box, or cabinet of sound construction and of a type approved in writing either generally or in the particular case by a member of the Police) bolted or otherwise securely fixed (in a manner approved in writing either generally or in the particular case by a member of the Police) to the building within which the pistol or military style semi-automatic firearm or restricted weapon is kept.
- (2) Where a pistol, military style semi-automatic firearm, or restricted weapon is kept in a steel box, steel cabinet, or steel safe in accordance with subclause (1)(c) of this regulation, ammunition for that firearm shall not be kept in that steel box, steel cabinet, or steel safe.
- (3) Where the governing body of a bona fide museum keeps a pistol, military style semi-automatic firearm, or restricted weapon in a room in accordance with subclause (1)(b) of this regulation, that governing body shall ensure, if the room is one to which members of the public have access, that the pistol, military style semi-automatic firearm, or restricted weapon is adequately secured, in a manner approved in each case by a member of the Police, to prevent unlawful removal.
- (4) The Commissioner may, by writing, exempt any person from compliance with any of the provisions of subclauses (1) to (3) of this regulation where the Commissioner is satisfied that the precautions being taken by that person are sufficient to prevent unlawful removal of the pistol or restricted weapon; and any such exemption may in like manner be revoked.
- (5) Every permit under section 18 of the Act and every firearms licence that is endorsed under section 30 or section 30B of the Act shall be deemed to be issued subject to the condition that every person who is lawfully entitled to possession of a pistol, military style semi-automatic firearm, or restricted weapon by virtue of that permit or firearms licence (as so endorsed) will observe the provisions of this regulation to the extent that they are applicable to that person.

SECURITY SPECIFICATIONS

The following are the required standards for the security of pistols, military style semi-automatic firearms and restricted weapons.

Where a reference is made to an official New Zealand or British Standard, and a product or method used differs from that standard, it is the responsibility of the licence holder or applicant to produce certification from an accredited locksmith or registered engineer, as appropriate, that the proposed or fitted security complies with, equals or exceeds the given standard.

STRONGROOMS (Regulation 28(1)(a))

A strongroom shall be constructed in its entirety of no less than 100 mm concrete with a minimum strength of 20 MPa complying with New Zealand Standard 3104:1991 or New Zealand Standard 3108:1983. The concrete shall incorporate 10 mm reinforcing steel rods set at 200 mm centres in two directions, or other equivalent reinforcing, such steel to be lapped and tied with steel in the walls, floor and roof.

Where concrete masonry blocks are used they should be of a minimum of 140 mm thick reinforced with 10 mm steel in both directions at 400 mm centres. Reinforcing steel is to be lapped and tied at joints of the walls, floor and roof. All block cavities shall be fully grouted.

The strongroom door shall be constructed of no less than 6 mm mild plate steel and of a comparable security performance to the walls, hung with heavy duty hinges, where practicable, on the inside. Hinge security bolts shall be fitted. Where doors are required to be hinged on the outside, componentry shall be fitted or adapted to prevent the removal of hinge pins or component parts.

Door framing shall include a rebate and be of a substantial construction to resist splitting or forcing and fitted to prevent prising or stretching.

Locking mechanisms of no less strength and security performance of a five lever mortice dead lock complying with BS3621:1980 shall be fitted to the door. Preference shall always be given to fitting two locks in order to reduce vulnerability — such locks may be keyed alike, though they must differ from other locks within the premises, and be fitted toward the top and bottom of the door with steel strapping behind each lock.

Where mechanisms other than mortice locks are used, preference should be given to internally operated drop bars or shooting bolt mechanisms retained by a lock to the same standard. If padlocks are used they should be of a key retaining variety of a high security rating with hardened steel closed shackles. Pad bars or hasp and staples with a similar high security rating to the padlock must be used with the padlock. Where closed shackle padlocks are not used, the mechanism must be completely shielded by being enclosed within a tunnel welded to the body of the door.

ROOMS OF STOUT AND SECURE CONSTRUCTION (Regulation 28(1)(b))

A room of stout and secure construction shall be constructed or adapted with the following:

Doors

Doors should be constructed of material equal in security rating of 6 mm mild steel strength, for example, solid wood construction no less than 40 mm thick covered on the outside with a sheet of steel no less than 16 gauge (applied to fully cover the door and bent to afford fixing to all edge surfaces), or armour coated or laminated glass protected by substantial grilles or other shutter covering.

The doors where practicable should be hung on the inside with three heavy duty hinges. Hinge security bolts should be fitted. Where doors are required to be hinged on the outside, componentry shall be fitted or adapted to prevent the removal of hinge pins or component parts.

Door framing should include a rebate and be of a substantial construction to resist splitting or forcing and fitted to prevent prising or stretching.

Locks

A locking mechanism of no less strength and security performance of a five lever mortice dead lock or complying with BS3621:1980 shall be fitted to entry doors of the premises. Where mechanisms other than mortice locks are used, preference should be given to internally operated drop bars or shooting bolt mechanisms retained by a lock to the same standard. If padlocks are used they should be of a key retaining variety of a high security rating with hardened steel closed shackles. Pad bars or hasp and staples with a similar high security rating to the padlock must be used with the padlock. Where closed shackle padlocks are not used, the mechanism must be completely shielded by being enclosed within a tunnel welded to the body of the door.

In the case of double opening doors, penetrating bolts similar to the orbway design should be used on the top and bottom of the first leaf, or flush bolts fixed in the edge of the first leaf. The second leaf shall be securely locked, as described above.

Walls, Ceilings and Floor Structure

The existing walls, ceiling and floor structure should be strengthened by internally fixing substantial gauge steel mesh to the framing, or the addition of 16 mm construction ply or a panel product of similar security rating securely fixed through the existing lining to the frame.

New structures should have a similar construction if framed, or of a similar resistance to attack if constructed of other materials.

Windows

Installation of louvre windows is not recommended. All windows and skylights should be affixed with substantial steel grilles with a performance rating equalling 19 mm mild steel rod erected at 127 mm centres incorporating welded cross ties, 305 mm apart to prevent spreading. The grille should be secured with coach bolts, burred or counter sunk to prevent removal, or substantial gauge one way screws, commensurate with the gauge of the bars.

Where other security measures of a high standard, such as an intruder alarm with a suitable response, and laminated or armour coated window glass, are used, substantial steel grilles, as described above, may be dispensed with or substituted with lesser grilles.

Alarms

The installation of an intruder alarm system is recommended. All intruder alarm systems and subsequent installation procedures shall comply with New Zealand Standard 4301:1983 or subsequent amendment. Such intruder warning devices should ideally be monitored and audible, but other arrangements may be suitable depending on the particular circumstances.

STEEL SAFES (Regulation 28(1)(c))

Commercial safes constructed of steel or steel and concrete material and intended to provide storage for firearms should only be approved after consultation, and if required, certification by a registered engineer to ensure they meet the minimum security criteria relating to firearm cabinets/boxes as detailed below.

If a safe is used it should be affixed to the building in the same manner as outlined for steel boxes or steel cabinets, as detailed below.

STEEL BOXES AND STEEL CABINETS (Regulation 28 (1)(c))

Steel boxes or steel cabinets shall be capable of withstanding reasonable physical attack with hand held tools and weapons, and equivalent to 6 mm mild steel strength. The box or cabinet should be built and finished in a workmanlike manner with negligible gaps between all fixed parts.

Where it is proposed to construct cabinets or boxes of a single plate dimension measuring less than 6 mm mild steel or a variety of steel other than mild, consultation must take place with a registered engineer to confirm compliance with the performance based criteria. A certificate of compliance from the registered engineer must be provided in these circumstances. Two locking mechanisms of no less

strength and security performance than a five lever mortice dead lock complying with BS3621:1980 shall be fitted to the cabinet door. Owing to reduced size of a steel box designed solely for pistol storage together with the capability for concealment, only one locking mechanism is required. Any door handle fitted shall be designed to break off under leverage.

Drawings (reference C2191) can be obtained from an Arms Office. These give design and fixing recommendations. A cabinet should be bolted to a minimum of two surfaces, one of which shall be the floor. Bolt shafts shall be a minimum of 10 mm in diameter and when bolted into concrete, expanding or chemical setting bolts may be used. Where the cabinet is bolted to a wooden floor it shall be through bolted to a steel plate which exceeds the floor area of the cabinet and is retained on at least two floor joists. All nuts must be on the inside of the cabinet, and bolts welded or burred to resist removal.

It is recommended that the cabinet or box be bolted in a confined space, such as a wardrobe or cupboard.

GENERAL SECURITY OF BUILDING

The place in which a safe, box or cabinet is fixed shall be a building, part of a building, or a room which is secured in a reasonable and prudent manner against unauthorised entry. While normally it will be in a dwelling or other occupied place other situations will be considered on their merit. Outbuildings, detached garages, or structures remote from occupied premises will not in general be acceptable.

A steel cabinet, steel box or safe should ideally be located within a confined space, such as a cupboard or wardrobe.

Doors

Doors must be of structurally sound condition capable of being firmly locked. Where practicable doors should be hung on the inside with three sturdy hinges. Where doors are required to be externally hinged, two hinge security bolts shall be fitted.

Sliding doors shall be fixed so as to resist removal from the outside when locked. External sliding doors shall be secured by double cylindered deadlocks, or from the inside with locking patio bolts.

Double leading doors (french doors) shall have a locking patio bolt at the top and bottom of the first leaf (inner door) or flush bolts in edge of the first leaf. Door framing and the lock striking box shall be securely fixed to the wall so as to resist splitting or forcing open. A locking mechanism of no less strength and security performance of a five lever mortice deadlock or five pin double cylinder deadlock or dead bolt shall be fitted to entry doors. Where a steel cabinet box or safe is located in a room or garage within a dwelling the internal door should be of solid construction with a locking mechanism as described above, secured at all times when the premises are unoccupied.

Windows

All windows should be capable of being firmly closed by hinges, locks, catches or other fastenings maintained in good condition. Louvre windows shall not be used unless grilles and bars that resist cutting or prising by hand held tools are fitted. Window locks or locking window catches should be fitted to all opening windows that are not in the immediate view of occupied premises or public places.

Alarms

The installation of an intruder alarm system is recommended. All intruder alarm systems and subsequent installation procedures shall comply with New Zealand Standard 4301:1983. Such intruder warning devices should ideally be monitored and audible, but other arrangements may be suitable depending on the particular circumstances.