

Departmental Disclosure Statement

Arms Bill

The departmental disclosure statement for a government Bill seeks to bring together in one place a range of information to support and enhance the Parliamentary and public scrutiny of that Bill.

It identifies:

- the general policy intent of the Bill and other background policy material;
- some of the key quality assurance products and processes used to develop and test the content of the Bill; and
- the presence of certain significant powers or features in the Bill that might be of particular Parliamentary or public interest and warrant an explanation.

This disclosure statement was prepared by the Ministry of Justice.

The Ministry of Justice certifies that, to the best of its knowledge and understanding, the information provided is complete and accurate at the date of finalisation below.

08 December 2025.

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Part One: General Policy Statement

The Arms Bill (the **Bill**) repeals and replaces the Arms Act 1983 (the **Act**) to:

- provide for greater protection of public safety;
- simplify regulatory requirements; and
- improve compliance.

The Bill aims to achieve these objectives through 4 themes set out below

Encouraging a culture of community safety and support

The New Zealand firearms regulatory system allows individuals considered “fit and proper” to possess arms items, subject to safeguards. A strong culture of community safety, supported by clear regulations, helps to maintain public safety.

The Bill strengthens this culture by broadening the principles of the Arms Act 1983 to ensure that any person or organisation undertaking activities covered by the Bill acts in the interests of personal, community, and public safety.

The Bill introduces additional safeguards to ensure that only responsible users can access arms items. This includes preventing gang members from holding firearms licences, and increased regulation of items, such as blank-firing guns, which could be misused or converted into firearms.

To support compliance and ensure firearms users stay within the firearms regulatory system, the Bill reduces the burden on licence applicants, licence holders, and the Arms Regulator (the regulator) through enabling licence extensions, urgent renewals, and multi-entry visitor’s licences.

It also establishes a Firearms Licensing Review Committee composed of independent members to review licensing decisions. This will increase transparency and improve the firearms community’s trust and confidence in the system

Enabling legitimate possession and use

Licensing is the primary tool for controlling access to arms items, supported by endorsements and approvals. The current system can be burdensome on the regulator, licence applicants, and licence holders.

The Bill simplifies regulatory settings while maintaining safety standards. Key changes include:

- replacing dealer’s licences with business licences, which focus on commercial or specialist activities and have longer duration;
- improving importing processes: • no longer requiring employees of licensed businesses to have endorsements on their personal licences;
- introducing specialist licence classes for museum curators and their employees;
- establishing an approvals scheme for ammunition sellers;
- updating endorsement settings for animal and biosecurity controllers; and
- updating endorsement settings for firearm collectors.

Ensuring compliance through education and enforcement

A modern, transparent regulatory system helps licence holders understand and meet their obligations, while providing tools to manage risk and non-compliance.

This Bill improves understanding by clarifying regulatory requirements and introducing additional graduated, proportionate enforcement tools. This includes:

- requiring business licence holders to notify the regulator of surrendered arms items;
- introducing processes to bring unlawful firearms into lawful possession;
- establishing an infringement offence regime and making adjustments to the suspension regime; and
- updating offences and penalties to ensure they are modern, address legislative gaps, and respond to emerging technology such as 3D printing.

Maintaining public interest and safety

Improving the delivery and oversight of the firearms regulatory regime is key to building public trust and confidence in the system.

The Bill establishes a new firearms regulatory agency, the regulator. This agency will operate independently from New Zealand Police, to enhance transparency and improve trust and confidence in the system. The regulator prioritises education and support as the first step in compliance, before enforcement.

Related changes include:

- codifying the core regulatory functions of the new agency and the Police;
- establishing a chief executive of the new agency who is appointed by the Governor-General and accountable to the responsible Minister for the agency's regulatory functions;
- expressly providing for information sharing between the regulator and certain agencies; and
- requiring fees to be reviewed every 5 years.

Other changes

The Bill is structured so that it is easy to navigate and uses plain language, helping the firearms community better understand their obligations.

Part Two: Background Material and Policy Information

Published reviews or evaluations

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| 2.1. Are there any publicly available inquiry, review or evaluation reports that have informed, or are relevant to, the policy to be given effect by this Bill? | NO |
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Relevant international treaties

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| 2.2. Does this Bill seek to give effect to New Zealand action in relation to an international treaty? | NO |
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Regulatory impact analysis

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| 2.3. Were any regulatory impact statements provided to inform the policy decisions that led to this Bill? | YES |
| <p>The Ministry of Justice produced the following 4 regulatory impact statements on 29 May 2025 to help inform the main policy decisions taken by the Government relating to the contents of this Bill:</p> <ul style="list-style-type: none">• Firearms Reform—Encouraging a culture of community safety and support:• Firearms Reform—Enabling legitimate possession and use:• Firearms Reform—Ensuring compliance through education and enforcement:• Firearms Regulation—Maintaining public interest and safety. <p>The Ministry of Justice produced the following 3 further regulatory impact statements on 28 August 2025 to help inform the main policy decisions taken by the Government relating to the contents of this Bill:</p> <ul style="list-style-type: none">• Firearms Reform—Permits to Possess and Manufacturing:• Firearms Reform—Appeal pathways:• Firearms Reform—Offences and penalties. <p>Copies of all regulatory impact statements can be found at—</p> <ul style="list-style-type: none">• https://www.justice.govt.nz/justice-sector-policy/regulatory-stewardship/regulatory-impact-assessments/• https://www.regulation.govt.nz/our-work/regulatory-impact-statements/ | |

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| 2.3.1. If so, did the Ministry for Regulation provide an independent opinion on the quality of any of these regulatory impact statements? | NO |
| <p>As agreed in consultation with the Ministry for Regulation, the regulatory impact statement was assessed internally by the Ministry's Regulatory Quality Assurance Panel and determined to meet the quality assurance criteria and one RIS partially meet the quality assurance criteria.</p> | |

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| 2.3.2. Are there aspects of the policy to be given effect by this Bill that were not addressed by, or that now vary materially from, the policy options analysed in these regulatory impact statements? | NO |
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Extent of impact analysis available

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| 2.4. Has further impact analysis become available for any aspects of the policy to be given effect by this Bill? | NO |
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| 2.5. For the policy to be given effect by this Bill, is there analysis available on: | |
| (a) the size of the potential costs and benefits? | YES |
| (b) the potential for any group of persons to suffer a substantial unavoidable loss of income or wealth? | NO |
| Analysis of the high-level costs and benefits of legislative policy options was included in Regulatory Impact Statements prepared by the Ministry of Justice. | |

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| 2.6. For the policy to be given effect by this Bill, are the potential costs or benefits likely to be impacted by: | |
| (a) the level of effective compliance or non-compliance with applicable obligations or standards? | YES |
| (b) the nature and level of regulator effort put into encouraging or securing compliance? | YES |
| Refer to the RIS for information relating to compliance here: https://www.justice.govt.nz/justice-sector-policy/regulatory-stewardship/regulatory-impact-assessments/ | |

Part Three: Testing of Legislative Content

Consistency with New Zealand's international obligations

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| 3.1. What steps have been taken to determine whether the policy to be given effect by this Bill is consistent with New Zealand's international obligations? |
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Consistency with New Zealand's international human rights obligations was a part of the Ministry of Justice's analysis of the policy options informing the development of the Bill. Obligations under the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition and United Nations Convention against Transnational Organised Crime are relevant to this Bill.

The Ministry of Foreign Affairs and Trade were consulted during the formation of the policy advice and drafting of the Bill.

Consistency with the government's Treaty of Waitangi obligations

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| 3.2. What steps have been taken to determine whether the policy to be given effect by this Bill is consistent with the principles of the Treaty of Waitangi? |
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Consultation has been conducted with government agencies including Te Puni Kōkiri on the policy decisions leading to this Bill.

The Ministry of Justice carried out public consultation on the rewrite of the Act between 13 January and 28 February 2025. A total of 8,448 submissions were received during consultation. In total, over 700,000 individual points were made by submitters. This included a Māori Focus Group Wānanga coordinated by the Ministry.

Some stakeholders submitted that many Māori have issues with accessing firearms due to difficulties navigating the licensing system and historic distrust of Police. There are programmes in place, such as Whakatūpatō, seeking to address these concerns.

Consistency with the New Zealand Bill of Rights Act 1990

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| 3.3. Has advice been provided to the Attorney-General on whether any provisions of this Bill appear to limit any of the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990? | YES |
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Crown Law is providing advice to the Attorney-General on whether the Bill complies with the New Zealand Bill of Rights Act 1990.

Changes in the Bill are likely to engage sections 17 (freedom of association) and 25(c) right to be presumed innocent.

Advice provided to the Attorney-General, or a section 7 report of the Attorney-General, is expected to be available on the Ministry of Justice's website upon introduction of the Bill. Such advice, or reports, will be accessible on the Ministry's website at: [Compliance reports | New Zealand Ministry of Justice](#)

Offences, penalties and court jurisdictions

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| 3.4. Does this Bill create, amend, or remove: | |
| (a) offences or penalties (including infringement offences or penalties and civil pecuniary penalty regimes)? | YES |
| (b) the jurisdiction of a court or tribunal (including rights to judicial review or rights of appeal)? | NO |
| The Bill repeals the Arms Act 1983 and replaces it with a rewritten Bill. As a result, there are a significant number of offences throughout the Bill. The new offences are mostly contained in parts 2; 3; 6 and 8. | |

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| 3.4.1. Was the Ministry of Justice consulted about these provisions? | YES |
| The provisions were developed by the Ministry of Justice so no separate consultation was necessary. Police and the Crown Law Office were consulted on the new offence provisions. | |

Privacy issues

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| 3.5. Does this Bill create, amend or remove any provisions relating to the collection, storage, access to, correction of, use or disclosure of personal information? | YES |
| <p>The following provisions have been amended to reflect that the Chief Executive of the new firearms regulatory agency will now be responsible for regulatory functions, including the collection, storage, and use of personal information for the purpose of carrying out duties and functions under the Act: cl 69, 71, 73, 74, 84, 102, 114, 123, 125, 127, 128, 137, 168, 169, 170, 179, 190, 199, 201, 208, 209, 217, 218, 223, 224, 233, 234, 307, 355, 357 – 359, and 367.</p> <p>Part 6 (relating to direct access agreements) is carried over from Part 7 of the current Act with references to the Minister of Police and Police replaced with references to the responsible Minister and the arms regulatory agency, respectively</p> <p>Cl 324 refers to requests for information from a panel of the Firearms Licensing Review Committee.</p> <p>Cl 350-352 provides for information sharing between the arms regulatory agency and Commissioner.</p> | |

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| 3.5.1. Was the Privacy Commissioner consulted about these provisions? | YES |
| <p>The Ministry of Justice consulted with the Office of the Privacy Commissioner during policy development and bill drafting. It identified that there were privacy implications regarding the establishment of a new firearms regulatory agency, but due to time constraints, was unable to undertake a fulsome analysis.</p> <p>The Office viewed the information sharing provisions (cl 350-52) to be beneficial from a privacy perspective.</p> <p>The Privacy Commissioner raised concerns about the operationalisation of the automatic disqualification policy by relying on the National Gang List.</p> | |

External consultation

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| 3.6. Has there been any external consultation on the policy to be given effect by this Bill, or on a draft of this Bill? | YES |
| The Ministry of Justice carried out public consultation on the rewrite of the Act between 13 January and 28 February 2025. A total of 8,448 submissions were received during consultation. In total, over 700,000 individual points were made by submitters. | |

Other testing of proposals

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| 3.7. Have the policy details to be given effect by this Bill been otherwise tested or assessed in any way to ensure the Bill's provisions are workable and complete? | [YES/NO] |
| The Ministry of Justice has worked closely with relevant agencies to ensure that the proposals given effect to by the Bill are workable and can be operationalised. | |

Part Four: Significant Legislative Features

Compulsory acquisition of private property

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| 4.1. Does this Bill contain any provisions that could result in the compulsory acquisition of private property? | NO |
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Charges in the nature of a tax

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| 4.2. Does this Bill create or amend a power to impose a fee, levy or charge in the nature of a tax? | NO |
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Retrospective effect

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| 4.3. Does this Bill affect rights, freedoms, or impose obligations, retrospectively? | NO |
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Strict liability or reversal of the usual burden of proof for offences

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| 4.4. Does this Bill: | |
| (a) create or amend a strict or absolute liability offence? | YES |
| (b) reverse or modify the usual burden of proof for an offence or a civil pecuniary penalty proceeding? | YES |
| <p><i>Strict Liability Offences</i></p> <p>The Bill carries over a number of strict liability offences from the 1983 Act. These offences all now carry the defence of without reasonable excuse (and inserts an element of knowledge to the offence). These offences relate to possession or the sale of firearms, in cases where the defendant is best placed to justify their possession of the firearm.</p> <p>The strict liability offences are in clauses 14, 16, 17, 20, 24, 26, 27, 28, 29, 31, 34, 36, 37, 40, 44, 46, 47, 50, 52, 53, 54, 55, 56, 57, 58, 59, 60, 62, 63, 64, 66, 88, 90, 91, 96, 98, 105, 109, 110, 111, 131, 132, 133, 135, 136, 137, 165, 166, 167, 168, 169, 170, 179, 202, 209, 218, 225, 234, 235, 249, 254, 257, 258, 259, 260, 261, 269, 273, 298, 325, 326, 327, 328, 330, 334, 350.</p> <p><i>Reverse onus</i></p> <p>Clause 248 reproduces s66 of the Arms Act 1983 which provides a reverse onus related to the unlawful possession of a firearm when it is on a person's land or building or in the vehicle they are driving. For the reverse onus to come into effect, Police must prove beyond reasonable doubt that:</p> <ul style="list-style-type: none"> • the defendant was occupying the land or building or the driver of the vehicle; and • that the firearm was found in or on the land/building or vehicle. <p>It is then up to the defendant to prove, on the balance of probabilities, that the firearm was not their property and that it was in the possession of some other person. The reverse onus is limited to unlawful possession offences in the Act. In these cases, ownership, use, or carriage of a firearm needs to be justified, with the defendant being in the best place to argue the justification.</p> <p>Currently, this is relied on by Police in a number of high-risk situations where public safety is paramount. This includes matters relating to gang activities and organised crime. These are complicated situations, and it is often very difficult for the Police to prove the absence of lawful possession or carriage purpose. These are complicated situations, and it is often very difficult for the Police to prove a possession charge.</p> <p>Clauses 250, 251, 253, and 256 also contain a reverse onus. There is a high degree of risk to public safety and harm present with unlawful carriage and possession of firearms. The reverse onus is an important legislative provision to ensure consequences for unlawfully possessed firearms and weapons.</p> <p>The reverse onus is limited to unlawful possession offences in the Arms Act. In these cases, ownership, use, or carriage of a firearm needs to be justified by the defendant once the prosecution has proven the possession or carriage (and public place where appropriate to the offence). The onus is then on the defendant to prove the lawful and proper use of the firearm. This is because the defendant is considered to be in the best place to provide the justification. The provision also gives the defendant the opportunity to provide a lawful purpose for why they were carrying or possessing a firearm or weapon.</p> <p>As with clause 248, these provisions are relied on by Police in a number of high-risk situations where public safety is paramount.</p> | |

Civil or criminal immunity

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| 4.5. Does this Bill create or amend a civil or criminal immunity for any person? | YES |
| <p>Clause 13(7) of the Bill provides that, except with the leave of the Attorney-General, a member of the Police who is acting as an undercover agent cannot be prosecuted for acts done in good faith under the Act.</p> <p>Clause 319 of the Bill provides that members of the Review Committee are not personally liable for any acts or omission done in relation to the function of the Review Committee, unless the act or omission was done in bad faith.</p> <p>Clause 321 of the Bill provides that members of the Arms Advisory Group are immune from civil liability for good-faith actions or omissions in relations to the duties, functions or powers of the Group.</p> | |

Significant decision-making powers

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| 4.6. Does this Bill create or amend a decision-making power to make a determination about a person's rights, obligations, or interests protected or recognised by law, and that could have a significant impact on those rights, obligations, or interests? | NO |
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Powers to make delegated legislation

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| 4.7. Does this Bill create or amend a power to make delegated legislation that could amend an Act, define the meaning of a term in an Act, or grant an exemption from an Act or delegated legislation? | NO |
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| 4.8. Does this Bill create or amend any other powers to make delegated legislation? | YES |
| <p>Clause 362 empowers the making of regulations relating to a detailed and technical matters relating to licencing; security and storage of arms items, clubs and rangers, the licencing review committee, arms registry, technical guidance and infringement offences.</p> <p>Any regulations made under this clause must be consulted with the Privacy Commissioner, Police, the new arms regulatory agency and other persons or organisations that are likely to be affected by the regulations.</p> | |

Any other unusual provisions or features

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| 4.9. Does this Bill contain any provisions (other than those noted above) that are unusual or call for special comment? | NO |
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