



Arms (Prohibited Firearms, Magazines, and Parts) Amendment Regulations (No 2) 2019

Patsy Reddy, Governor-General

Order in Council

At Wellington this 25th day of November 2019

Present:

Hon Kelvin Davis presiding in Council

These regulations are made under—

- (a) section 74 of the Arms Act 1983 on the advice and with the consent of the Executive Council; and
- (b) section 74C of the Arms Act 1983—
 - (i) on the advice and with the consent of the Executive Council; and
 - (ii) on the recommendation of the Minister of Police made in accordance with section 74C(2) of that Act; and
- (c) clause 7 of Schedule 1 of the Arms Act 1983—
 - (i) on the advice and with the consent of the Executive Council; and
 - (ii) on the recommendation of the Minister of Police.

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Regulations

1 Title

These regulations are the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Regulations (No 2) 2019.

2 Commencement

These regulations come into force on 29 November 2019.

3 Principal regulations

These regulations amend the Arms Regulations 1992 (the **principal regulations**).

4 Regulation 23A amended (Manner of applying for permit to possess)

Revoke regulation 23A(1C).

5 Regulation 26B amended (Delivery of permit in writing in hard copy form where item already possessed by applicant)

Replace regulation 26B(1)(a)(ii) with:

- (ii) was possessed by the applicant before 12 April 2019, but after 11 April 2019 and on or before 20 December 2020 was surrendered to a member of the Police; and

6 Regulation 26C amended (Delivery of permit through Internet site where item already possessed by applicant)

Replace regulation 26C(1)(a)(ii) with:

- (ii) was possessed by the applicant before 12 April 2019, but after 11 April 2019 and on or before 20 December 2020 was delivered to a member of the Police; and

7 Regulation 28H amended (Interpretation)

(1) In regulation 28H, replace “regulations 28I to 28W” with “regulations 28I to 28WA”.

(2) In regulation 28H, replace the definition of **prohibited part** with:

prohibited part—

- (a) has the meaning given to it in section 2C of the Act; and
- (b) for the purposes of regulations 28I to 28WA,—
 - (i) includes the following classes of prohibited parts:
 - (A) a semi-automatic lower receiver that is capable of being attached to a centrefire upper receiver (whether or not it is also capable of being attached to a rimfire upper receiver) or is capable of being able to accept and cycle centrefire

- cartridges or rimfire cartridges greater than 0.22 calibre; and
- (B) an upper receiver that is capable of being attached to any semi-automatic centrefire compatible lower receiver; but
- (ii) excludes—
 - (A) a part of a prohibited firearm that may be used on a firearm other than a prohibited firearm (not being a part referred to in subparagraph (i)); and
 - (B) a part of a pistol

8 Cross-heading above regulation 28J amended

In the cross-heading above regulation 28J, delete “*during amnesty period*”.

9 Regulation 28L amended (Compensation for prohibited item delivered or surrendered to Police or forfeited to Crown)

(1) Replace the heading to regulation 28L with “**Compensation for prohibited item during amnesty period**”.

(2) Replace regulation 28L(2) with:

(2) A person referred to in subclause (1) may apply for compensation from the Crown in respect of the prohibited item that they lawfully possessed as referred to in that subclause if,—

- (a) during the amnesty period,—
 - (i) the item is delivered to—
 - (A) a member of the Police; or
 - (B) an approved licensed dealer for surrender to a member of the Police; or
 - (ii) arrangements are made for a member of the Police to collect the item; and
- (b) during the amnesty period, the person does not apply for and obtain—
 - (i) an endorsement made under section 30B of the Act permitting the person to possess a prohibited firearm or prohibited magazine in their capacity as an exempt person; and
 - (ii) a permit issued under section 35A of the Act to possess the prohibited firearm or prohibited magazine.

(3) After regulation 28L(4), insert:

(4A) This regulation also applies to a person who, on or after 12 April 2019, lawfully possesses or lawfully imports a non-prohibited semi-automatic firearm (other than a pistol) that includes 1 or more prohibited parts.

- (4B) A person referred to in subclause (4A) may apply for compensation from the Crown in respect of the 1 or more prohibited parts referred to in that subclause if,—
- (a) during the amnesty period,—
 - (i) the prohibited part or parts are delivered to a member of the Police; or
 - (ii) arrangements are made for a member of the Police to collect the prohibited part or parts; and
 - (b) during the amnesty period, the person does not apply for and obtain an endorsement made under section 30B of the Act permitting the person to possess a prohibited firearm.
- (4) In regulation 28L(5), replace “subclause (1) or (3)” with “subclause (1), (3), or (4A)”.
- (5) In regulation 28L(6), replace “delivered or surrendered to a member of the Police” with “referred to in subclause (2), (4), or (4B)”.
- (6) After regulation 28L(7), insert:
- (8) Subclause (6) is subject to regulation 28LA.
- (9) In this regulation, **person** does not include a person who is described in—
- (a) regulation 28R; or
 - (b) regulation 28RA; or
 - (c) regulation 28TA(1).

10 New regulations 28LA to 28LC inserted

After regulation 28L, insert:

28LA Compensation for large quantities of prohibited magazines or prohibited parts

- (1) This regulation applies if a person applies for compensation under regulation 28L for a quantity of prohibited items that exceeds the quantity of prohibited items that the Commissioner considers appropriate for the reasonable personal use of the person.
- (2) In determining the quantity of prohibited items that is appropriate for the reasonable personal use of a person, the Commissioner may consider—
 - (a) the number and type of firearms owned by the person in respect of which the prohibited items may be used; and
 - (b) the age of the prohibited items; and
 - (c) the quantity of the prohibited items typically possessed by the holder of a firearms licence who owns a firearm of the same kind as, or of a similar kind to, that owned by the person in respect of which the prohibited items may be used; and

- (d) any other matter the Commissioner considers appropriate.
- (3) The amount of compensation payable to a person in respect of the quantity of prohibited items is,—
 - (a) for the quantity the Commissioner considers appropriate for the reasonable personal use of the person, the sum of the amount of compensation payable in respect of each prohibited item, being—
 - (i) the amount for the item set out in a compensation schedule; or
 - (ii) the amount for the item determined by the Commissioner under regulation 28P; and
 - (b) for the remaining quantity, the sum of the amount of compensation payable in respect of each prohibited item, being the lowest of the following:
 - (i) the amount for the item set out in a compensation schedule;
 - (ii) the amount for the item determined by the Commissioner under regulation 28P;
 - (iii) the price for which the prohibited item was purchased by the person.
- (4) In this regulation, **prohibited items** means—
 - (a) prohibited magazines; and
 - (b) prohibited parts; and
 - (c) prohibited magazines and prohibited parts.

28LB Compensation for prohibited item after end of amnesty period

- (1) This regulation applies to a person described in regulation 28L(1) or (3) to whom regulation 28L applies, and who—
 - (a) is an exempt person of or over the age of 18 years; and
 - (b) before the end of the amnesty period, applied for—
 - (i) an endorsement to be made on their firearms licence under section 30B of the Act permitting them to possess a prohibited firearm or prohibited magazine in their capacity as an exempt person; or
 - (ii) the issue of a permit, under section 35A of the Act, permitting them to possess, as the case may be,—
 - (A) the firearm or magazine referred to in regulation 28L(1) that became a prohibited item; or
 - (B) the firearm or magazine referred to in regulation 28L(3) that became a prohibited item; and
 - (c) after 20 November 2019, receives notification from a member of the Police that their application has been declined.

- (2) This regulation also applies to a person described in regulation 28L(4A) to whom regulation 28L applies, and who—
 - (a) is an exempt person of or over the age of 18 years; and
 - (b) before the end of the amnesty period, applied for an endorsement to be made on their firearms licence under section 30B of the Act permitting them to possess a prohibited firearm; and
 - (c) after 20 November 2019, receives notification from a member of the Police that their application has been declined.
- (3) This regulation also applies to a person who, before 12 April 2019, lawfully possessed a firearm described in regulation 28U(1) and who,—
 - (a) before the end of the amnesty period, arranged under regulation 28U(2) to have the firearm and its non-detachable magazine or magazines safely and permanently modified by an approved gunsmith to convert the firearm and magazine or magazines to non-prohibited items; and
 - (b) after 20 November 2019, receives advice from the approved gunsmith that the modification to the firearm cannot in fact be made.
- (4) This regulation also applies to a person described in regulation 28UA(1), and who,—
 - (a) after the end of the amnesty period, arranges under regulation 28UA(2) with an approved gunsmith to have a firearm and its non-detachable magazine or magazines safely and permanently modified to convert the firearm and magazine or magazines to non-prohibited items; and
 - (b) after making those arrangements receives advice from the approved gunsmith that the modification to the firearm and magazine or magazines cannot in fact be made.
- (5) A person described in subclause (1) may apply for compensation from the Crown in respect of the prohibited item referred to in subclause (1)(b)(ii) on or before the date that is the 30th day after the person receives the notification referred to in subclause (1)(c).
- (6) A person described in subclause (2) may apply for compensation from the Crown in respect of the prohibited part or parts referred to in regulation 28L(4A) on or before the date that is the 30th day after the person receives the notification under subclause (2)(c).
- (7) A person described in subclause (3) may apply for compensation from the Crown in respect of the firearm referred to in that subclause on or before the date that is the 30th day after the person receives the advice referred to in subclause (3)(b).
- (8) A person described in subclause (4) may apply for compensation from the Crown in respect of the firearm and magazine or magazines referred to in that subclause on or before the date that is the 30th day after the person receives the advice referred to in subclause (4)(b).

- (9) An application for compensation under subclause (5), (6), (7) or (8) in respect of a prohibited item may be made after the end of the amnesty period.
- (10) An application must be made by—
 - (a) submitting to the Commissioner a completed application form; and
 - (b) either—
 - (i) delivering the item to a member of the Police; or
 - (ii) arranging for a member of the Police to collect the item.
- (11) A person applying for compensation under this regulation may, at the same time as making the application, apply to the Commissioner in writing under regulation 28P to have the amount of compensation for the item determined by the Commissioner and not in accordance with a compensation schedule.
- (12) The amount of compensation payable in respect of an application made under this regulation is—
 - (a) the amount in respect of the prohibited item that is set out in a compensation schedule; or
 - (b) the amount for the prohibited item that is determined by the Commissioner under regulation 28P.
- (13) The Commissioner must make arrangements for the compensation for a prohibited item to be paid to the bank account nominated by the person.

28LC Proof of possession or purchase price may be required

- (1) This regulation applies to a person who,—
 - (a) before 12 April 2019, lawfully possessed an item that became a prohibited item under the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019; and
 - (b) applies under regulation 28L, 28LA, or 28LB for compensation in respect of that item.
- (2) The person must provide to a member of the Police, if requested, proof of either or both of the following:
 - (a) that the person lawfully possessed the item before 12 April 2019;
 - (b) the price for which the person purchased the item.

11 Regulation 28M amended (Compensation schedules to be issued by Commissioner)

In regulation 28M(2), replace “during the amnesty period” with “before the close of 20 December 2020”.

12 Regulation 28P amended (Compensation for unique prohibited item)

- (1) Replace regulation 28P(1) with:

- (1) The following persons may apply to the Commissioner in writing to have the amount of compensation for a prohibited item determined by the Commissioner and not in accordance with a compensation schedule:
- (a) a person referred to in regulation 28L(1), (3), or (4A) who is making an application under regulation 28L(2), (4), or (4B):
 - (b) a person referred to in regulation 28LB(1), (2), (3), or (4) who is making an application under regulation 28LB(9).
- (1A) An application under subclause (1) must be made at the same time as the application being made under regulation 28L(5) or 28LB(9), as the case may be.
- (2) Replace regulation 28P(5)(a) with:
- (a) determine the amount of compensation payable in respect of the item that is—
 - (i) the amount for the item listed in a compensation schedule; or
 - (ii) any other amount.

13 Regulation 28R amended (Licensed dealers entitled to claim compensation for prohibited items)

- (1) In the heading to regulation 28R, after “**items**”, insert “**before end of amnesty period**”.
- (2) After regulation 28R(1), insert:
- (1A) This regulation also applies to a licensed dealer who, on or after 12 April 2019, lawfully possesses or imports a non-prohibited semi-automatic firearm that includes 1 or more prohibited parts.
- (3) In regulation 28R(2), replace “subclause (1)” with “subclause (1) or (1A)”.

14 New regulation 28RA inserted (Licensed dealers entitled to claim compensation for prohibited items after end of amnesty period)

After regulation 28R, insert:

28RA Licensed dealers entitled to claim compensation for prohibited items after end of amnesty period

- (1) This regulation applies to a licensed dealer who—
- (a) is described in regulation 28R(1); and
 - (b) before the end of the amnesty period, applied for—
 - (i) an endorsement to be made on their dealer’s licence under section 30B of the Act permitting them to possess a prohibited firearm or prohibited magazine in their capacity as a licensed dealer; or
 - (ii) the issue of a permit, under section 35A of the Act, permitting them to possess a firearm or magazine referred to in regulation 28R(1) that became a prohibited item; and

- (c) after 20 November 2019, receives notification from a member of the Police that their application has been declined.
- (2) A licensed dealer described in subclause (1) may apply for compensation from the Crown in respect of the prohibited item referred to in that subclause if,—
 - (a) at the date of the dealer’s application, the item is held by the dealer but is subject to arrangements that have been made for its delivery to a member of the Police; and
 - (b) an application is made on or before the date that is the 30th day after the licensed dealer receives the notification referred to in subclause (1)(c).
- (3) This regulation also applies to a licensed dealer who—
 - (a) is described in regulation 28R(1A); and
 - (b) before the end of the amnesty period, applied for an endorsement to be made on their dealer’s licence under section 30B of the Act permitting them to possess a prohibited firearm; and
 - (c) after 20 November 2019, receives notification from a member of the Police that their application has been declined.
- (4) A licensed dealer described in subclause (3) may apply for compensation from the Crown in respect of the prohibited part or parts referred to in regulation 28R(1A) if,—
 - (a) at the date of the dealer’s application, the part or parts are held by the dealer but are subject to arrangements that have been made for their delivery to a member of the Police; and
 - (b) an application is made on or before the date that is the 30th day after the dealer receives the notification referred to in subclause (3)(c).
- (5) An application for compensation under subclause (2) or (4) may be made after the end of the amnesty period.
- (6) An application must be made by submitting to the Commissioner a completed application form.
- (7) The amount of compensation payable in respect of an application made under this regulation is the amount payable under regulation 28S.
- (8) An application for compensation referred to in regulation 28S(1) must be accompanied by documentary evidence (for example, records or receipts held by the dealer) to support all amounts of compensation claimed.
- (9) An application for compensation referred to in regulation 28S(2) and (3) must, if possible, be accompanied by documentary evidence (for example, records or receipts held by the dealer) to support all amounts of compensation claimed.

15 Regulation 28T amended (No other compensation payable)

In regulation 28T, replace “these regulations” with “regulations 28R, 28RA, and 28TA”.

16 New regulation 28TA and cross-heading inserted

After regulation 28T, insert:

Compensation payable to manufacturers of prohibited magazines and prohibited parts

28TA Manufacturers entitled to claim compensation for prohibited magazines and prohibited parts

- (1) This regulation applies to any person (including a licensed dealer) who,—
 - (a) before 12 April 2019, manufactured from raw materials an item that became a prohibited item under the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019; and
 - (b) is not a person described in regulation 28F to whom section 4A of the Act applies.
- (2) A person referred to in subclause (1) may apply for compensation from the Crown in respect of a prohibited item that they manufactured as referred to in that subclause if, at the date of the person's application,—
 - (a) the item is delivered to a member of the Police; or
 - (b) arrangements have been made with the Police for the item to be delivered to a member of the Police.
- (3) A person who applies for compensation under this regulation in respect of a prohibited item may claim compensation in respect of only the following:
 - (a) the purchase price of the raw materials used in the manufacture of the item; and
 - (b) any costs incurred that are directly attributable to the manufacture of the item.
- (4) An application for compensation must be made before the end of the amnesty period by submitting to the Commissioner a completed application form that includes a statement of the date of manufacture of the prohibited item.
- (5) An application for compensation must be accompanied by documentary evidence (for example, records or receipts held by the person) to support all amounts of compensation claimed.
- (6) The amount of compensation payable to a person under this regulation for a prohibited item is determined by the Commissioner, taking into account—
 - (a) the amount of compensation claimed in accordance with subclause (3); and
 - (b) the condition of the item in respect of which compensation is claimed.
- (7) In this regulation, **prohibited item** means either or both of the following:
 - (a) a prohibited magazine;
 - (b) a prohibited part.

17 Regulation 28U amended (Converting prohibited items to non-prohibited items)

- (1) Replace the heading to regulation 28U with “**Converting prohibited item to non-prohibited item before end of amnesty period**”.
- (2) Replace regulation 28U(2) with:
 - (2) A person who, before 12 April 2019, lawfully possessed a firearm to which this regulation applies may, instead of applying for compensation in respect of the firearm under regulation 28L or 28P, arrange with an approved gunsmith before the end of the amnesty period to have the firearm and its non-detachable magazine or magazines safely and permanently modified to convert the firearm and magazine or magazines to non-prohibited items.
- (3) In regulation 28U(6), replace “or magazines” with “or magazine or magazines”.

18 New regulation 28UA inserted (Converting prohibited item to non-prohibited item after end of amnesty period)

After regulation 28U, insert:

28UA Converting prohibited item to non-prohibited item after end of amnesty period

- (1) This regulation applies to a person (not being a licensed dealer) who,—
 - (a) before 12 April 2019, lawfully possessed a firearm to which regulation 28U applies; and
 - (b) before the end of the amnesty period, applied for—
 - (i) an endorsement to be made on their firearms licence under section 30B of the Act permitting them to possess the firearm; or
 - (ii) the issue of a permit, under section 35A of the Act, permitting them to possess the firearm; and
 - (c) after 20 November 2019, receives notification from a member of the Police that their application has been declined.
- (2) The person may, instead of applying for compensation in respect of the firearm under regulation 28LB, arrange with an approved gunsmith after the end of the amnesty period to have the firearm and its non-detachable magazine or magazines safely and permanently modified to convert the firearm and magazine or magazines to non-prohibited items.
- (3) A person may seek payment from the Crown, not exceeding \$300 (including goods and services tax), for the cost of the modification to the firearm and its non-detachable magazine or magazines if,—
 - (a) the person submits to the Commissioner a completed application form; and
 - (b) the person presents to a member of the Police—

- (i) a certificate from an approved gunsmith in a form approved by the Commissioner certifying that the modification has been done in the manner, and to the standard, required by the Commissioner and published under regulation 28U(7); and
- (ii) evidence of the cost of the modification; and
- (iii) the modified firearm for inspection, if requested by a member of the Police; and
- (c) the member of the Police is satisfied that the modification has permanently converted the firearm and magazine or magazines to a firearm and magazine or magazines that are not prohibited items.
- (4) The amount payable to a person under this regulation is determined by the Commissioner.
- (5) A payment may be made by the Commissioner into the bank account nominated by—
 - (a) the person seeking the payment; or
 - (b) the approved gunsmith who undertook the modification on behalf of that person.
- (6) A person who receives payment under this regulation, or on whose behalf a payment under this regulation is made, is not entitled to receive any compensation or additional payment from the Crown in respect of the firearm or magazine or magazines.

19 Regulation 28W amended (Certain provisions not to apply to approved licensed dealers, valuers, and approved gunsmiths)

- (1) In regulation 28W(1) and (3), after “regulation 28U”, insert “or 28UA”.
- (2) In regulation 28W(4), replace “at the end of the amnesty period” with “on 20 December 2020”.

20 New regulation 28WA (Certain provisions not to apply to other specified persons)

After regulation 28W, insert—

28WA Certain provisions not to apply to other specified persons

- (1) In addition to the transitional provision in clause 5 of Schedule 1 of the Act, the following persons do not commit an offence under section 50A, 50B, or 50C of the Act for the continued possession of a prohibited item:
 - (a) a person referred to in regulation 28L(1), (3), or (4A) who, during the amnesty period, applied for the following in respect of the prohibited item and has not, before the close of 20 November 2019, received notification from a member of the Police as to whether their application has been approved or declined:

- (i) an endorsement to be made on their firearms licence under section 30B of the Act permitting them to possess a prohibited firearm or prohibited magazine in their capacity as an exempt person; or
- (ii) a permit issued under section 35A of the Act to possess the prohibited firearm or prohibited magazine:
- (b) a person who, before the end of the amnesty period, applied for compensation under regulation 28L(2), (4), or (4B) in respect of the prohibited item and a member of the Police has agreed to collect that item:
- (c) a person referred to in regulation 28LB(4):
- (d) a person who, before the end of the amnesty period, applied under regulation 28P to have the amount of compensation for the item determined by the Commissioner and has not, by the close of 20 November 2019, received written notice of the Commissioner's determination:
- (e) a licensed dealer who, before the end of the amnesty period, applied for compensation under regulation 28R(2) in respect of the prohibited item and a member of the Police has agreed to collect that item:
- (f) a licensed dealer to whom regulation 28RA applies:
- (g) a person who, before the end of the amnesty period, arranges with an approved gunsmith under regulation 28U to have a firearm and its non-detachable magazine or magazines converted to non-prohibited items and who,—
 - (i) after 20 November 2019, receives notification from the gunsmith that the modification to the firearm cannot in fact be made; or
 - (ii) is, at the end of the amnesty period, still in possession of the items before they have been delivered to, or collected by, the gunsmith.
- (2) Subclause (1) is subject to the conditions set out in regulation 28G, and the references in regulation 28G(1) to the amnesty period must be read as references to the period beginning at 3 pm on 21 March 2019 and ending on 20 December 2020.
- (3) This regulation ceases to have effect on 20 December 2020.

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.
These regulations, which come into force on 29 November 2019, amend the Arms Regulations 1992 (the **principal regulations**) to address the following measures that

are related to the implementation of the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019:

Definition of prohibited part

The definition of prohibited part in regulation 28H of the principal regulations is amended to clarify that an application for compensation may be made in respect of—

- a semi-automatic lower receiver that is capable of being attached to a centrefire upper receiver; and
- an upper receiver that is capable of being attached to any semi-automatic centrefire compatible lower receiver.

Compensation payable for large quantity of prohibited magazines and prohibited parts

New regulation 28LA inserted into the principal regulations provides that a person who applies for compensation for a quantity of prohibited magazines or prohibited parts, or both, that exceeds what is considered to be appropriate for reasonable personal use may receive the following compensation:

- for the quantity of items that the Commissioner of Police (the **Commissioner**) considers appropriate for reasonable personal use, the total of the compensation payable for each item that is set out in a compensation schedule or determined by the Commissioner under regulation 28P; and
- for the remaining quantity, the total of the compensation payable for each item that is set out in a compensation schedule, or determined by the Commissioner under regulation 28P, or the purchase price, whichever is the lowest.

Application for compensation by licensed dealers and manufacturers

Regulation 28L is amended to clarify that it does not apply to licensed dealers and manufacturers. Licensed dealers may apply for compensation in respect of prohibited items under regulation 28R and *new regulation 28RA*. Manufacturers may apply for compensation under *new regulation 28TA*.

Application for compensation may be made after end of amnesty period in certain cases

New regulation 28LB inserted into the principal regulations provides that the following persons may, after the end of the amnesty period, apply for compensation in respect of prohibited items:

- an exempt person who, before the end of the amnesty period, applied for an endorsement or a permit to possess a prohibited firearm or prohibited magazine and, after 20 November 2019, received notification from the Police that their application has been declined;
- a person who, on or after 12 April 2019, lawfully possesses or imports a non-prohibited semi-automatic firearm (other than a pistol) that includes 1 or more prohibited parts and after 20 November 2019 receives notification from the

Police that their application for an endorsement and permit to possess a prohibited firearm has been declined:

- a person who, before the end of the amnesty period, arranged with an approved gunsmith to have a firearm and its non-detachable magazine or magazines modified to a non-prohibited items and after 20 November 2019 receives advice from the gunsmith that the modification cannot in fact be made:
- a person who, after the end of the amnesty period, made arrangements with an approved gunsmith to have a firearm and its non-detachable magazine or magazines modified to non-prohibited items and subsequently receives advice from the gunsmith that the modification cannot in fact be made.

New regulation 28RA inserted into the principal regulations provides that a licensed dealer may, after the end of the amnesty period, apply for compensation in respect of a prohibited item if, before the end of the amnesty period, they applied for an endorsement or a permit to possess the prohibited item and, after 20 November 2019, received notification from the Police that their application has been declined.

Proof of possession and proof of purchase price

New regulation 28LC inserted into the principal regulations requires a person who is applying for compensation in respect of a prohibited item to provide to a member of the Police, if requested, proof that the person lawfully possessed the item before 12 April 2019, or proof of the purchase price of the item, or proof of both.

Compensation for manufacture of prohibited magazines and prohibited parts before 12 April 2019

New regulation 28TA inserted into the principal regulations enables a person (not being an exempt person under regulation 28F) who, before 12 April 2019, manufactured from raw materials a magazine or part that on that date became a prohibited magazine or prohibited part to apply for compensation for the costs incurred in manufacturing that item.

Conversion of prohibited firearm to non-prohibited firearm after end of amnesty period in certain cases

New regulation 28UA inserted into the principal regulations provides that certain persons may, after the end of the amnesty period, arrange to have a prohibited firearm and its non-detachable magazine or magazines modified to convert the items to non-prohibited items and seek payment from the Crown for the cost of the modification.

Application of sections 50A, 50B, and 50C of Arms Act 1983 to licensed dealers, valuers, and approved gunsmiths

Regulation 28W of the principal regulations is amended so that it continues to have effect for a further year. This means that sections 50A to 50C of the Arms Act 1983 will not apply to licensed dealers, valuers, and approved gunsmiths for the purposes stated in regulation 28W until 21 December 2020. This is necessary to enable licensed dealers, valuers, and approved gunsmiths to continue to be involved and

assist with the administration of the compensation scheme after the end of the amnesty period.

Sections 50A to 50C of Arms Act 1983 not to apply to other specified persons

New regulation 28WA is inserted into the principal regulations as an additional transitional provision. It provides that sections 50A to 50C of the Arms Act 1983 do not apply to the following persons in possession of a prohibited item until 21 December 2020:

- a person referred to in regulation 28L(1), (3), or (4A) who, during the amnesty period, applied for an endorsement or a permit to possess a prohibited firearm or prohibited magazine and did not, before the close of 20 November 2019, receive notification of the outcome of their application:
- a person who, before the end of the amnesty period, applied for compensation under regulation 28L(2), (4), or (4B) in respect of a prohibited item and the Police have agreed to collect the item:
- a person who, before the end of the amnesty period, applied under regulation 28P for compensation in respect of the prohibited item and has not received by the close of 20 November 2019 written notice of the Commissioner's determination:
- a licensed dealer who, before the end of the amnesty period, applied for compensation under regulation 28R(2) in respect of a prohibited item and the Police have agreed to collect the item:
- a licensed dealer referred to in regulation 28RA(1) who, before the end of the amnesty period, applied for an endorsement and a permit to possess a prohibited firearm or prohibited magazine and after 20 November 2019, received notification that their application has been declined:
- a person who, before the end of the amnesty period, arranged with an approved gunsmith under regulation 28U to have a firearm and its non-detachable magazines modified, and who,—
 - after 20 November 2019, received notification from the approved gunsmith that the modification cannot in fact be made:
 - after 20 December 2019, remains in possession of the firearm and magazines as the items are yet to be delivered to, or collected by, the approved gunsmith:
 - a person who, after 20 November 2019, arranged with an approved gunsmith under regulation 28UA(2) to have a firearm and its non-detachable magazine or magazines modified and who subsequently receives advice from the gunsmith that the modification cannot in fact be made.

**Arms (Prohibited Firearms, Magazines, and Parts)
Amendment Regulations (No 2) 2019**

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