



## ANALYSIS

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| <p>Title</p> <p>1. Short Title</p> <p>2. Definition of "firearm"</p> <p>3. Unlawful possession of pistols</p> | <p>4. Definition of "firearm" extended for certain purposes</p> <p>5. Regulations</p> |
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1971, No. 46

**An Act to amend the Arms Act 1958**

[5 November 1971

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

**1. Short Title**—This Act may be cited as the Arms Amendment Act 1971, and shall be read together with and deemed part of the Arms Act 1958 (hereinafter referred to as the principal Act).

**2. Definition of "firearm"**—Section 2 of the principal Act is hereby amended by inserting in the definition of the term "firearm" (as substituted by section 2 of the Arms Amendment Act 1966), after the word "by", the words "its completion or".

**3. Unlawful possession of pistols**—The principal Act is hereby amended by inserting, after section 7, the following section:

"7A. (1) It shall not be lawful for any person to be in possession of a pistol unless he is a person authorised or permitted, expressly or by implication, by or pursuant to this Act or by or pursuant to regulations made under it to be in possession of that pistol.

“(2) Every person who commits a breach of this section commits an offence and shall be liable on summary conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding \$200.

“(3) On any prosecution for an offence against this section, if the defendant is proved to have been in possession of the pistol, the burden of proving that he was lawfully in possession of it shall lie on the defendant.”

**4. Definition of “firearm” extended for certain purposes—**

(1) Section 16 of the principal Act (as amended by section 6 (1) of the Arms Amendment Act 1964) is hereby amended by adding to subsection (2A) the following sentence “For the purposes of this subsection the term ‘firearm’ means any gun, rifle, or pistol, whether acting by force of explosives or not”.

(2) Section 16A of the principal Act (as inserted by section 4 of the Arms Amendment Act 1966) is hereby amended by adding to subsection (1) the following sentence “For the purposes of this subsection, the term ‘firearm’ means any gun, rifle, or pistol, whether acting by force of explosives or not”.

**5. Regulations—**Section 32 of the principal Act (as amended by section 3 (3) of the Arms Amendment Act 1966 and section 5 of the Arms Amendment Act 1968) is hereby amended by inserting in subsection (1), after paragraph (b), the following paragraphs:

“(bb) Making provision for the security of any premises at which a licensed dealer carries on business and prescribing precautions to be taken to prevent the theft or misuse of firearms and ammunition in the possession of licensed dealers:

“(bc) Prescribing precautions to be taken in respect of the use and safe custody of pistols:”.

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This Act is administered in the Police Department.

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