

ARMS AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Arms Act 1983. Many of the amendments impose stricter controls in respect of the importation and possession of military style semi-automatic firearms.

Other significant amendments are those made by *clauses 7 and 20*, which provide—

- (a) For the photographs of licence holders to be affixed to firearms licences; and
- (b) For the calling in of firearms licences by the Commissioner of Police so that photographs of licence holders may be affixed either to those licences or to licences issued in replacement for those licences.

Clause 1 relates to the Short Title and commencement of the Bill. Except as provided in *clause 6 (2)*, the Bill is to come into force on 1 May 1992.

Clause 2: Subclause (1) repeals the definition of the term “antique firearm”, and substitutes a new definition. Under the definition enacted in 1983 a firearm does not come within the definition unless the firearm “is not designed for or is not capable of firing ammunition currently being manufactured”. The new definition provides instead that a firearm does not come within the definition unless the firearm “Is not designed for firing, and is not capable of firing, rimfire or centrefire cartridge ammunition:”.

Subclause (2) repeals the definition of the term “member of the Police”, and substitutes a new definition of that term and a definition of the term “military style semi-automatic firearm” and a definition of the term “part”, in relation to a pistol, firearm, or restricted weapon.

The definition of the term “member of the Police” is new to the extent that it now includes a non-sworn member of the Police of New Zealand issued with the appropriate warrant under section 6 (2) of the Police Act 1958.

The term “military style semi-automatic firearm” is defined to mean—

- (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 permanently maintained in a sporting configuration.

The term “part” is defined to include, in relation to a pistol, firearm, or restricted weapon, any thing, such as a butt, stock, magazine, silencer, or sight, which, while not essential for the discharge by a pistol, firearm, or restricted weapon of any shot, bullet, missile, or other projectile, is designed or intended to be an integral part of a pistol, firearm, or restricted weapon or an attachment to a pistol, firearm, or restricted weapon.

Subclause (3) inserts into section 2 of the principal Act a definition of the term “sporting configuration”, in relation to a semi-automatic firearm. A semi-automatic firearm has a “sporting configuration” when it does not have any of the following features, namely,—

- (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 5 cartridges;
- (c) Bayonet lugs;
- (d) A military pattern free-standing pistol grip;
- (e) A flash suppressor.

Clause 3 amends section 3 (2) (a) of the principal Act (which deals with the application of the Act to the Crown). The amendment is consequential on changes made by the Defence Act 1990.

Clause 4 repeals subsection (1) of section 16 of the principal Act, and substitutes a new subsection. The subsection is new to the extent that—

- (a) It designates military style semi-automatic firearms as a separate class of firearms in respect of which a permit must be obtained before they can be imported into New Zealand; and
- (b) It requires a permit to be obtained before parts of any firearm, pistol, military style semi-automatic firearm, starting pistol, or restricted weapon may be imported into New Zealand.

Clause 5 repeals sections 18 and 19 of the principal Act, and substitutes new sections 18, 18A, 18B, and 19. All four sections relate to the importation of firearms.

Section 18 (which relates to the issue of permits to import firearms) is new to the extent that—

- (a) It now contains specific references to military style semi-automatic firearms and to the importation of parts of any firearm, pistol, military style semi-automatic firearm, starting pistol, or restricted weapon;
- (b) It provides that any permit issued for the purposes of section 16 (1) of the principal Act is personal to the person to whom it is issued and cannot be transferred.

Section 18A provides that, unless sooner revoked, every permit issued for the purposes of section 16 (1) of the principal Act shall expire 12 months after the date on which that permit was issued.

Section 18B: Subsection (1) relates to the production to the Police, for examination and testing, of samples of firearms, pistols, military style semi-automatic firearms, starting pistols, and restricted weapons to which an application for a permit to import relates. Where a sample is required, that sample (which must be in an unmodified form) must be produced as soon as practicable.

Subsection (2) provides that firearms that, on being imported, are found not to correspond with a sample are to be exported from New Zealand within 12 months.

Subsection (3) provides that where such firearms are not exported within 12 months, they may be disposed of by the Commissioner of Police.

Section 19 (which relates to the seizure of illegally imported firearms or restricted weapons) is extended so that it now relates, in addition, to the seizure of illegally imported parts of firearms or restricted weapons.

Clause 6 repeals subsection (2) of section 20 of the principal Act, and substitutes a new subsection. The new subsection, which comes into force on 1 November 1992, is new to the extent that it provides that the holding of a firearms licence does not of itself entitle any person to have a military style semi-automatic firearm in that person's possession.

Clause 7 requires every application for a firearms licence to be accompanied by 2 identical passport-sized photographs of the applicant.

Clause 8 requires every application for an endorsement permitting a person to have possession of a pistol or restricted weapon to be accompanied by 2 identical passport-sized photographs of the applicant.

Clause 9 inserts new *sections 30A and 30B* into the principal Act.

The new *section 30A* provides that any person, being the holder of a firearms licence, may apply for an endorsement permitting that person to have possession of a military style semi-automatic firearm.

The new *section 30B* provides that an endorsement applied for under *section 30A* may be made if, subject to any direction from the Commissioner of Police, the member of Police to whom an application is made is satisfied that the applicant is a fit and proper person to be in possession of the military style semi-automatic firearm to which the application relates.

Clause 10 inserts into section 31 of the principal Act (which deals with the possession of firearms, pistols, and restricted weapons for stage, film, or television purposes) references to military style semi-automatic firearms.

Clause 11 inserts new *sections 33A and 33B* into the principal Act.

The new *section 33A* provides that where a firearm licence is endorsed so that the holder of the licence may have possession of a military style semi-automatic firearm, the endorsement is to be subject to conditions.

The new *section 33B* provides for the revocation of any such endorsement.

Clause 12 amends section 34 of the principal Act (which deals with notification of change of address). The clause effects a consequential amendment by inserting into section 34 (2) a reference to a "military style semi-automatic firearm".

Clause 13 repeals section 35 of the principal Act (which deals with the issue of permits to procure pistols and restricted weapons), and substitutes a new section. The section is extended so that it now covers permits to procure military style semi-automatic firearms.

Clause 14 amends section 38 of the principal Act (which deals with the removal of pistols and restricted weapons out of New Zealand). That section is extended so that it now covers the removal of military style semi-automatic firearms out of New Zealand.

Clause 15 amends section 43 of the principal Act (which makes it an offence to sell or supply firearms or airguns to unlicensed persons). That section, which does not apply to the sale of pistols or restricted weapons, is not to apply in respect of the sale or supply of military style semi-automatic firearms. Section 44 of the principal Act (which relates to the sale and supply of pistols and restricted weapons) is to be extended, by *clause 16*, so that it will apply to the sale or supply of military style semi-automatic firearms.

Clause 16 amends section 44 of the principal Act (which section makes it an offence to sell or supply a pistol or restricted weapon to any person who does hold a permit to import or a permit to procure that pistol or restricted weapon). The application of the section is extended so that it now applies to the sale and supply of military style semi-automatic firearms.

Clause 17 inserts a new *section 49A* into the principal Act. The new section makes it an offence for any person whose firearms licence has been revoked, to be 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.

Clause 18 amends section 50 of the principal Act, which makes unlawful possession of a pistol or restricted weapon an offence. The application of the section is extended so that it now applies to unlawful possession of a military style semi-automatic firearm.

Clause 19 makes consequential amendments to section 62 of the principal Act (which confers rights of appeal from official decisions).

Clause 20 amends section 74 of the principal Act (which empowers the making of regulations).

Subclause (1) empowers the making of regulations excluding any parts of firearms or restricted weapons from any of the provisions of the principal Act.

Subclause (2) empowers the making of regulations providing—

- (a) For photographs of licence holders to be affixed to firearms licences; and
 - (b) For the calling in of firearms licences by the Commissioner of Police so that photographs of licence holders may be affixed either to those licences or to licences issued in replacement for those licences.
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ARMS AMENDMENT

ANALYSIS

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2. Interpretation	33B. Revocation of endorsement in respect of military style semi-automatic firearms
3. Act to bind the Crown	12. Notification of change of address
4. Offence to import firearms or parts of firearms without permit	13. Issue of permit to procure pistol, military style semi-automatic firearm, or restricted weapon
5. New sections substituted	14. Removal of pistol, military style semi-automatic firearm, or restricted weapon out of New Zealand
18. Issue of permits to import firearms or parts of firearms	15. Selling or supplying firearm or airgun to unlicensed person
18A. Expiration of permits to import firearms or parts of firearms	16. Selling or supplying pistol, military style semi-automatic firearm, or restricted weapon to person who does not hold permit to import or to procure
18B. Samples	17. Unlawful possession of firearm or airgun after revocation of firearms licence
19. Seizure of illegally imported firearms or parts of firearms	18. Unlawful possession of pistol, military style semi-automatic firearm, or restricted weapon
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A BILL INTITULED

An Act to amend the Arms Act 1983

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

5 **1. Short Title and commencement**—(1) This Act may be cited as the Arms Amendment Act 1991, 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 6 (2) of this Act, this Act shall come into force on the 1st day of May 1992.

*1983, No. 44

Amendments: 1985, No. 5; 1987, No. 166; 1989, No. 109

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: 5

“‘Antique firearm’ means any firearm that—

“(a) Is held in the possession of any person solely as an antique (but not as a copy or replica of an antique); and 10

“(b) Is not designed for firing, and is not capable of firing, rimfire or centrefire cartridge ammunition.”.

(2) Section 2 of the principal Act is further amended by repealing the definition of the term “member of the Police”, and substituting the following definitions: 15

“‘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): 25

“‘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— 30

“(i) A pistol; or

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

“‘Part’, in relation to a pistol, firearm, or restricted weapon, includes any thing, such as a butt, stock, magazine, silencer, or sight, which, while not essential for the discharge by a pistol, firearm, or restricted weapon of any shot, bullet, missile, or other projectile, is designed or intended to be an integral part of a pistol, firearm, or restricted weapon or an attachment to a pistol, firearm, or restricted weapon.”. 35 40

(3) Section 2 of the principal Act is hereby further amended by inserting, after the definition of the term “restricted weapon”, the following definition:

5 “‘Sporting configuration’, in relation to a semi-automatic firearm, means being without any of the following features:

“(a) A folding or telescopic butt:

10 “(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

15 “(ii) In any other case, more than 5 cartridges:

“(c) Bayonet lugs:

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

“(e) A flash suppressor.”

20 **3. Act to bind the Crown**—Section 3 (2) (a) of the principal Act is hereby amended by repealing subparagraph (i), and substituting the following subparagraph:

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

25 **4. 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—

30 “(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,—

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

5. New sections substituted—The principal Act is hereby amended by repealing sections 18 and 19, and substituting the following sections:

40 **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 5

“(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 10

“(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— 15

“(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,— 20

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. 25

“(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. 30

“**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. 35

“**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 40

sample has not been modified in any way before it is so produced.

5 “(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
10 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
15 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**
20 **(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.

25 “**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
30 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—

35 “(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.”

40 **6. 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 November 1992.

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7. Application for firearms licence—Section 23 of the principal Act is hereby amended by adding the following subsection:

“(3) Every application under subsection (1) of this section shall be accompanied by 2 identical photographs of the applicant, which photographs shall be the same size as those used from time to time on passports issued under the Passports Act 1980.”

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8. Application for endorsements in respect of pistol or restricted weapon—Section 29 of the principal Act is hereby amended by adding the following subsection:

“(5) Every application made under subsection (1) or subsection (2) of this section shall be accompanied by 2 identical photographs of the applicant, which photographs shall be the same size as those used from time to time on passports issued under the Passports Act 1980.”

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9. 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 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.

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

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“(3) Every application under subsection (1) of this section shall be accompanied by 2 identical photographs of the applicant, which photographs shall be the same size as those used from time to time on passports issued under the Passports Act 1980.”

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“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

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military style semi-automatic firearm to which that application relates.”

5 **10. 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:

10 “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—

15 “(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

20 “(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

25 “(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.”

11. New sections inserted—The principal Act is hereby amended by inserting, after section 33, the following sections:

30 “**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.

35 “(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.

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“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 and 28 of this Act.”

12. 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”.

13. 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.

5 “(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.

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

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

15 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”.

15. Selling or supplying firearm or airgun to unlicensed person—Section 43 of the principal Act is hereby amended—

20 (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”:

25 (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”.

16. 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

30 44 of the principal Act is hereby amended by repealing subsections (1) and (2), and substituting the following subsections:

35 “(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—

40 “(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.

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“(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—

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“(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

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“(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.”

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

17. 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:

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“49A. Every person commits an offence and is liable on summary conviction to imprisonment for a term not exceeding one year or to a fine not exceeding \$2,000 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.”

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18. 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:

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“(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.”

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

5 “(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.”

19. Right of appeal from official decisions—(1) Section 62 (1) (a) of the principal Act is hereby amended by repealing subparagraphs (iv) and (v), and substituting the following subparagraphs:

15 “(iv) An endorsement under section 29 or **section 30A** or section 36 of this Act; or

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

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

25 “(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,—”.

20. Regulations—(1) 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”.

(2) Section 74 of the principal Act is hereby amended by adding the following subsection:

35 “(3) Notwithstanding section 25 of this Act, the Governor-General may from time to time, by Order in Council made under this section, make regulations providing for photographs of licence holders to be affixed to firearms licences and providing for the calling in of firearms licences by the Commissioner so that photographs of licence holders may be affixed either to those licences or to licences issued in replacement for those licences.”