



ANALYSIS

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1964, No. 36

An Act to amend the Arms Act 1958

[3 November 1964]

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 1964, and shall be read together with and deemed part of the Arms Act 1958 (hereinafter referred to as the principal Act).

2. Interpretation—Section 2 of the principal Act is hereby amended by repealing the definition of the term “pistol”, and substituting the following definition:

“‘Pistol’ means any firearm the barrel of which does not exceed twelve inches in length measured from the muzzle to the face of the breech block when the breech is closed:”.

3. Import of firearms—Section 6 of the principal Act is hereby amended by inserting, after subsection (2), the following subsection:

“(2A) Without limiting the discretion conferred by subsection (2) of this section, no application under this section in respect of a pistol shall be granted unless the officer of Police considering the application is satisfied that there are special reasons why the pistol to which the application relates should be allowed into New Zealand.”

4. Dealers required to have permit in respect of pistols—Section 7 of the principal Act is hereby amended by inserting, after subsection (2), the following subsection:

“(2A) Notwithstanding the foregoing provisions of this section, no licensed dealer shall procure possession of a pistol otherwise than pursuant to a permit under this section or pursuant to a permit under section 6 of this Act and no person shall deliver possession of a pistol to a licensed dealer unless the dealer has such a permit in respect of the pistol.”

5. Certificate of registration—(1) Subsection (5) of section 9 of the principal Act is hereby amended by adding the following proviso:

“Provided that no person whose name is included as aforesaid shall retain possession of the firearm for more than one month unless he becomes registered as the owner thereof or unless he is residing at the same address as the registered owner.”

(2) Subsection (6) of section 9 of the principal Act is hereby amended by adding the words “or where, in the opinion of the member, the circumstances which justified the inclusion of the name in the certificate no longer exist.”

6. Offences—(1) Section 16 of the principal Act is hereby amended by inserting, after subsection (2), the following subsections:

“(2A) No person shall, without reasonable cause, discharge or otherwise deal with a firearm in a manner likely to injure or endanger the safety of any person or property or with reckless disregard for the safety of others.

“(2B) No person shall, except in an emergency, discharge a firearm in a public place and no person shall, without reasonable cause, discharge a firearm near a public place so as to endanger property or to endanger, annoy, or frighten members of the public, or discharge a firearm in or near a dwelling-house.”

(2) Paragraph (ff) of section 3 of the Police Offences Act 1927 and subsection (1) of section 3 of the Police Offences Amendment Act 1950 are hereby repealed.

7. Presenting firearm—(1) Section 18 of the principal Act is hereby amended by omitting the words “whether loaded or unloaded”, and substituting the words “whether or not it is loaded or capable at the time of the offence of discharging any shot, bullet, or other missile”.

(2) Section 18 of the principal Act is hereby further amended by adding, as subsection (2), the following subsection:

“(2) Every person who, except for some lawful or sufficient purpose, presents at any person anything which, in the circumstances, is likely to lead that person to believe that it is a firearm commits an offence, and shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding one hundred pounds, or to both.”

This Act is administered in the Police Department.
