

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE]

House of Representatives, 24 October 1968.

Words inserted by the Committee are shown with double rule before first line and after last line.

Hon. Mr Allen

ARMS AMENDMENT

ANALYSIS

Title
1. Short Title

| 2. Interpretation
| 3. Licensed dealers

A BILL INTITULED

An Act to amend the Arms Act 1958

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

1. Short Title—This Act may be cited as the Arms Amendment Act 1968, and shall be read together with and deemed part of the Arms Act 1958* (hereinafter referred to as the principal Act).

10 **2. Interpretation**—(1) Section 2 of the principal Act (as amended by section 2 of the Arms Amendment Act 1964) is hereby further amended by repealing the definition of the term “pistol”, and substituting the following definition:
15 “‘Pistol’ means any firearm which is designed or adapted to be held and fired with one hand; and includes any firearm that is less than thirty inches in length.”.

*1958, No. 21

Amendments: 1962, No. 59; 1964, No. 36; 1966, No. 18

(2) Every person who is the owner, at the date of the passing of this Act, of a firearm which is not a pistol within the meaning of the definition substituted by section 2 of the Arms Amendment Act 1964 but which is a pistol **within** the meaning of the definition substituted by subsection (1) 5 of this section:

(a) Shall, if any such firearm is not registered under section 9 of the principal Act apply, within six months after the date of the passing of this Act, for the registration of that firearm under that section; and, if any such firearm was not registrable under that section before the passing of this Act, possession of any such firearm by any such person until the expiration of that period of six months or until the application for registration required by this paragraph is finally disposed of, whichever is the later, shall not be a breach of that section: 10 15

(b) May apply, within that period of six months, for a licence under section 13 of the principal Act and, if any such application made within that period is refused, may surrender any such firearm and any ammunition for it to any member of the Police and the Minister of Finance shall pay compensation out of the Consolidated Revenue Account for the value of the firearm and ammunition: 20 25

Provided that no such compensation shall be paid unless the Minister is satisfied that the person claiming compensation has acquired the firearm or ammunition lawfully and, if he has brought them into New Zealand, that he has done so lawfully. 30

(3) Section 2 of the Arms Amendment Act 1964 is hereby consequentially repealed.

3. Licensed dealers—Section 4 of the principal Act is hereby amended by inserting, after subsection (2), the following subsection: 35

“(2A) Every licensed dealer shall at all times permit any member of the Police to inspect any firearm or ammunition in his possession.”

New

4. Firearms which are not registrable may be required to be surrendered to Police—The principal Act is hereby amended by inserting, after section 11, the following section:

5 “11A. (1) Where any person is lawfully in possession of a firearm that is not registrable under this Act, a commissioned officer of Police may, by notice in writing under his hand served on the person, require the person to surrender the firearm to a member of the Police, if that officer is of the opinion,—

10 “(a) That the person is not a fit and proper person to be in possession of the firearm; or

“ (b) That the firearm is unsafe.

15 “(2) Where any person is served with a notice pursuant to subsection (1) of this section the owner or other person for the time being in possession of the firearm to which the notice relates shall, on demand, deliver the firearm to a member of the Police; and subsections (2) to (4) of section 11 of this Act shall apply accordingly with all necessary modifications.

20 “(3) Any person who is required to surrender a firearm pursuant to subsection (1) of this section may appeal, under section 14 of this Act, against the requirement, and that section shall apply accordingly with all necessary modifications.

25 “(4) Every person who commits a breach of subsection (2) of this section 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 two hundred dollars, or to both.”

5. Regulations—Section 32 of the principal Act (as amended by section 3 (3) of the Arms Amendment Act 1966) is hereby further amended by adding the following subsection:

35 “(3) Notwithstanding the provisions of any regulations made pursuant to this Act, the Commissioner of Police may dispense with the payment of any fee payable under any such regulations.”