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## Proposals for new regulations under the Arms Act 1983 (Phase Two)

### Shooting Clubs and Ranges

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#### About the New Zealand Game Animal Council

The New Zealand Game Animal Council (GAC), established under the Game Animal Council Act 2013, is a statutory agency with responsibilities for, *inter alia*, advising and making recommendations (in relation to game animals) to the Minister of Conservation, raising awareness of the views of the hunting sector, and liaising on and managing aspects of game animal hunting. Game animals are feral pigs, chamois, tahr, and all species of deer.

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#### Executive Summary

The GAC does not support onerous administration and compliance costs being imposed on what is predominantly a volunteer group of New Zealanders. Shooting clubs and ranges provide safe places where hunters and other firearms users gain competency and training in the use of firearms.

The safe and accurate use of firearms by hunters is critical to the role that recreational hunting plays in the preservation of New Zealand's biodiversity and ongoing game animal and pest management programmes.

- Hunters are the major harvesters of game animals in New Zealand.
- New Zealand needs to increase the number of up-and-coming hunters who are trained to be safe and successful.
- Safe and successful hunters significantly contribute to the achievement of biodiversity and game animal management programmes.
  - It has been estimated that recreational hunters (predominantly using firearms) harvest around 135,000 deer, 132,000 other big game animals (chamois, tahr and wild pigs), and over 230,000 goats per year.<sup>1</sup> This is significant and would not be possible without the accessibility of shooting clubs and ranges – many of which are run by hunting clubs, such as New Zealand Deerstalkers Association branches.
- Hunters need ranges and clubs as they provide essential facilities and opportunities to support the training of safe and successful hunters.

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<sup>1</sup> GN Kerr & W Abell (2014) Big game hunting in New Zealand: per capita effort, harvest and expenditure in 2011–2012, *New Zealand Journal of Zoology*, 41:2, 124-138.  
<http://dx.doi.org/10.1080/03014223.2013.870586>

- If the ability of recreational hunters to harvest and manage game animals and goats is significantly restricted, the direct cost to undertake the additional official control work falls on government and the taxpayer.

The GAC is strongly opposed to age restrictions being imposed for people participating in club organised shooting activities. Having a supervised and controlled environment to teach young people (who are getting into hunting) safe firearms practices is critical to their development as safe and successful firearms owners and hunters.

- As well as improving safety and experience, shooting ranges and clubs play an important role in improving the competency and accuracy of hunters, which has a direct correlation to humane animal harvest and animal welfare.
- Coaching and supervision at ranges and club events instils focus and discipline into young people and firearms users generally. These situations are key in providing a practical pathway for the safe and proper handling of firearms. The provision of, and access to, ranges is considered critical as part of the firearms licencing process and providing a practical training pathway.
- Restricting access to organised shooting activities will prevent a lot of people, particularly young people, from taking up hunting.

The GAC considers that costs to clubs and ranges as well as the cost recovery system should reflect the intention of both the legislative and regulatory changes over the last three years, namely to keep New Zealanders safe. It is therefore appropriate that the cost of administration and compliance is shared by both the firearms community (club or range) and the general public through government/Police mechanisms.

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## Method

The GAC has not responded to each question individually, instead, we have focused on issues that sit within our statutory mandate, that affect the hunting sector and impact the management of game animals. The GAC has not addressed issues related to pistol shooting or other issues unrelated to the provision of firearms training, practice and sighting-in of hunting rifles.

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## Regulations for Shooting Clubs

### 3.1 – Requirement for a certificate of approval for all shooting clubs that are required to make application by June 2023 and are not exempted from making application as provided for by clause 12 of Schedule 1 of the Arms Act

The GAC is concerned that clubs are being asked to provide information for applications that is either overbearing or more appropriately provided by Police. Information relating to companies and societies is publicly available for Police to access and Police can investigate any application (and the authorising body behind it) that they suspect may be in error or fraudulent.

- The GAC does not consider it necessary for applicants to provide evidence of authority as we do not consider there to be an incentive for somebody to make an application without this permission.

There is a risk that these proposals will lead to the closure of smaller rurally-based clubs that cannot provide the necessary paperwork to meet the criteria for a certificate of approval. This will have a

negative impact on the safe use of firearms in the parts of New Zealand where legitimate firearms use is at its highest.

The GAC considers it appropriate that a new shooting club or a club that has reapplied for approval is granted a certificate before shooting activities are commenced.

If clubs or ranges are forced to close due to overly burdensome requirements, Police will need to have a significant role in assisting volunteer groups to support applications with local bodies i.e., regional, or local council, to find a new location.

### 3.2 – A certificate of approval may be granted subject to conditions

Many smaller clubs and ranges do not store firearms and ammunition on site and should not be subject to conditions that require secure storage of firearms and ammunition on the premises.

Proposals requiring club management committee members to be firearms licence holders are short-sighted and counter-productive to the efficient and competent management of clubs. They also reach beyond the purpose of a firearms licence, which is the assessment of an individual to be a fit and proper person to possess a firearm.

- Many sports and recreation clubs around New Zealand are assisted in their management by people who do not participate in the sport themselves but are community-minded individuals or family and friends of participants who are interested in helping an important community institution.
- It is in the interest of individual clubs to appoint management committee members with the required competence to effectively manage the club. This does not need to be regulated.

The GAC strongly opposes age restrictions around the participation in club organised shooting activities. Having a supervised and controlled environment to teach young people (getting into hunting) safe firearms practices is critical to their development as safe and successful firearms users and hunters.

Hunting, like many outdoor recreation activities, is currently increasing in popularity and it is important that hunter safety and education, including practical firearms training, is accessible to those entering the sport.

- As well as improving safety and experience, shooting ranges and clubs play an important role in improving the competency and accuracy of hunters, which has a direct correlation to humane animal harvest and animal welfare.
- The proposals would make it far more difficult for young people to get into hunting who do not have a family or friends with a hunting background. This would be another barrier to participation in legitimate active recreation.
- The proposal to implement age restrictions, and subsequently reducing coaching and supervision opportunities, is highly likely to have perverse outcomes moving away from the stated aim of keeping New Zealanders safe.

The GAC does not understand the intent of the proposal to restrict participation in club organised activities for non-licence holders (16 years and older) under immediate supervision to a three-month period. For the safe use, training and instruction in firearms this proposal makes no sense.

- Clubs are one of the safest environments to learn how to appropriately use a firearm and in many cases, it will take a participant longer than three months to gain sufficient instruction to use a firearm safely and competently.

- This is particularly true if a person has other commitments (family, work or recreational) that mean they do not have the opportunity to participate in club activities regularly.
- The firearms licence application process is currently taking up to a year (or more), and with the increased level of administration and vetting required by Police is unlikely ever to reduce to less than three months. This reality should be reflected in regulations around the participation of non-licence holders in shooting clubs' activities.

The secure storage of firearms and ammunition is already a legal requirement for licencing so it is unclear why this is also necessary as part of a club's certificate of approval.

### 3.3 – Provision of annual reports by all clubs

Again, the GAC is concerned at the level of compliance being proposed and the impact this will have on smaller clubs. It is also unclear as to how some of the provided information will be used or whether it is necessary, considering the existing obligations on incorporated societies. The question to be asked here is, what purpose will this serve? The GAC considers that this information is already available through the new requirements of the firearms licensing system.

NZ Police are currently unable to effectively administer the new licencing regime due to the onerous administration required. Adding yet another element, such as the provision of annual reports, will further reduce NZ Police ability to effectively administer the act and regulations.

### 3.4 – Assessing individual circumstances

Cancellation of a shooting club's certificate of approval should be a last resort. Many sport and recreation clubs, particularly smaller clubs, from time-to-time find themselves with financial or human resource issues that may impact compliance.

The GAC believes there are a number of steps that should be taken before a club has their approval cancelled, including the proposed further improvement notice and a temporary suspension of approval/suspension from shooting activities. This would provide the club with a reasonable opportunity to meet their compliance obligations without having to reapply for a certificate, which may be a hurdle too far and lead to permanent club closures.

### 3.5 – Fees for application to approve a shooting club

The proposal for how fees and cost recovery are to be set is based on the flawed premise that the bulk of the benefit from the new regulations is private, when in fact it is a public benefit, coming as it does from legislative changes promoted to 'keep New Zealanders safe'. Shooting clubs do not directly benefit from these changes and it is predicted that some smaller clubs will be forced to close.

- The GAC, however, does agree that the firearms community should bear some costs for the processing of a certificate of approval as well as some of the auditing of club compliance but believes that both these costs should be shared.
- If costs are shared, as part of the 'keeping New Zealanders safe' public campaign, the GAC considers that Police should not seek to recover more than 25% of the total cost of compliance from clubs. Or, in other words, the contribution from firearms owners should not exceed 25% of the total cost of compliance (i.e., application fees, auditing fees etc.)

## **Regulations for Shooting Ranges**

### 4.1 – Applications for shooting range certification

The GAC is concerned that for smaller shooting ranges some of this compliance is unjustified.

- The GAC is unclear as to why it is necessary to compel shooting ranges to provide the type of firearms, including the calibre/s, to be used on the range in an application for a shooting range certificate. This is already covered in Range Standing Orders. It is up to the range certifier to determine the limitations of the range.
- For infrequently used volunteer-run ranges the proposals represent a lot of additional administration and will lead to closure. The consultation document states that this will lead to the amalgamation and revitalisation of larger range operations. This is a highly optimistic assumption and possibly only true in some urban areas. The opposite scenario is more likely which means for many rural areas this could instead see the permanent loss of their shooting ranges.

### 4.2 – Application to renew a range certificate other than under section 38M

Again, it is important to reduce unnecessary compliance and costs to small ranges where there is no practical safety benefit.

### 4.3 – Conditions of shooting range certification

It does not make sense that a licensed firearm owner with the necessary endorsement (i.e., a pest control operator) is prevented from test firing their firearm unless the on-duty range officer has the same endorsement. That is a significant and unnecessary overreach that will impact the commercial hunting sector.

- It is also unnecessary to regulate for ranges to:
  - a) maintain a register of members or employees with the minimum standard of training or
  - b) Keep records of officers on duty as ranges will manage both these processes internally.

### 4.4 – Conditions of shooting range certification – other matters

The GAC is concerned about the additional, and in many cases unnecessary, compliance burden being placed on ranges. Minor adjustments to a range that do not impact safety should not require sign-off by Police, who are not qualified range inspectors.

- Amending the conditions of certification should only be required if significant changes are made to the range and its operation.

### 4.5 – Range Standing Orders (RSO's)

The GAC agrees with some of the proposals with regards to RSO's; particularly ensuring that range users receive a copy of the RSO's and that all practical steps are taken to ensure range users are aware of changes to the RSO's. Compelling ranges, particularly small, infrequently used ranges, to erect signage displaying a summary of the relevant criteria and safety rules, including any relevant safety rules specific to that range, and contained in RSOs, is unnecessary, although, for larger ranges this should be encouraged as best practice.

Again, we do not see it as necessary for ranges to provide Police with proposed amendments to their RSO's before changes are made. Police are not qualified range inspectors, and this will create unnecessary administration for both Police and ranges.

#### 4.6 – Conditions relating to secure storage of firearms or ammunition at a range

It is critical that these provisions do not apply to ranges (particularly small, infrequently used volunteer ranges) that do not store firearms or ammunition. The GAC is also concerned that the conditions regarding storage are proportionate to the low level of risk posed by firearms and ammunition being stored at shooting ranges. Range operators are not dealers and many do not store firearms and ammunition indefinitely. The modifications to storage conditions need to be carefully thought through in this context.

#### 4.7 – Inspections of shooting ranges

The GAC is concerned that the requirements for an inspection of a range includes *any* changes relating to the range's operation. This is far too broad. *Any* could imply small changes to the operations of a range that have no bearing on safety or the use of firearms. This could add significant compliance for small volunteer-run ranges.

#### 4.8 – Cancellation of certification

The GAC does not see any benefit in cancelling a range certificate where it has been voluntarily surrendered as the certification could be transferred to another entity, allowing for the retention of the range for the community.

#### 4.9 – Fees for application to approve a shooting range

Initial applications to approve shooting ranges should be free. People are more likely to apply if there is no direct cost in the initial application.

Imposing the full costs of compliance of certification on ranges is unfair, particularly on smaller rural ranges that may have a very small number of members but are still of high value to that community. As argued previously in this submission, the benefits of these regulations are largely to the public and therefore it is appropriate that costs are shared with Police.

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### **Publicly available list of approved clubs and certified ranges**

The GAC supports the regulations prescribing the Commissioner of Police maintain and update a publicly available list of approved clubs and certified ranges. This will assist new hunters, overseas visitors and out-of-town hunters access range facilities for the safe training and sighting-in of their firearms.

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### **Conclusion**

Hunting is not only a traditional recreational activity in New Zealand but is critical to whanau and communities in order to harvest meat (protein) and is growing in popularity.

Hunting is a drawcard for international hunters, with commercial hunting operations and ancillary services employing hundreds of people and supporting many rural communities.

Hunting is also a critical conservation tool and the more recreational hunters we can assist to be safe and successful the better the outcomes for native species and the management of our game animal herds.

Onerous regulations and requirements on clubs and ranges will likely lead to many clubs and ranges closing. Less ranges will lead to hunters and firearms users seeking places other than ranges to fire and sight their firearms in (i.e., sighting in firearms on riverbeds and public conservation land/farm edges). There will also be a loss of skills being passed on within the club and range environment.

As well as improving safety and experience, shooting ranges and clubs play an important role in improving the competency and accuracy of hunters, which has a direct correlation to humane animal harvest and animal welfare.

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If you have any queries relating to this submission, please contact me on 021688531 or at [tim.gale@nzgac.org.nz](mailto:tim.gale@nzgac.org.nz).

Yours sincerely



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