

# **Shooting Club Guide**

Safe management of structures and operations



Tari Püreke – Firearms Safety Authority, a business unit of New Zealand Police

### About the guide

Shooting clubs provide a supportive environment for the safe use of firearms in a controlled environment for recreation. Clubs have new legal obligations under an approval framework established in 2022 through changes to the Arms Act and the Arms Regulations.

This guide helps shooting clubs manage their structure and operations in a safe way. It also helps them meet obligations under the Arms Act and Arms Regulations. It is a reference document about what clubs need to do and how to do it.

This guide explains clubs' obligations, but doesn't create them. The only definitive source of information about those obligations is in the legislation: the Arms Act 1983 and Arms Regulations 1992.

The guide tries to explain things in plain language, so uses simplified

terms such as:

- 'club' for 'shooting club'
- 'pistol endorsement' for 'an endorsement made on a licence under section 30 of the Act permitting the person to possess a pistol in the person's capacity specified in section 29(2)(a) of the Act'
- 'Police' for terms such as 'the Commissioner of Police', 'a member of the Police' or 'a person who is a member of Police and authorised in writing by the Commissioner', depending on the context.



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# The basics



#### **Shooting clubs**

A shooting club must be approved by Police before it operates. It is an offence to operate a shooting club that is not approved.

A shooting club is a voluntary association of people who act according to a set of written rules, and take part (or intend to take part) in shooting activities on a regular basis. In this context shooting activities means using a firearm to shoot at targets that aren't living, whether those targets are fixed or moving. Paintball shooting and airsoft shooting are not included in shooting activities.

A hunting club must be approved if any of its activities involve shooting at targets, for instance when sighting in firearms (even if this is not done on a certified range).

#### Phase-in period

There is a phase-in (or transitional) period for the new approval requirements:

- Any pistol club that was approved by Police at 24 June 2022 may continue to operate and doesn't need to apply for approval.
- Any other club that was in operation at 24 June 2022 may continue to operate provided it applies for approval before 24 June 2023. Once approved it can continue to operate until Police makes a decision on the application. If its application is declined it must immediately stop operating.
- If a club was not operating at 24 June 2022, it must not start operating until it applies for approval and Police grant that approval and issue the club with a certificate of approval.



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#### Any questions?

There's more information for clubs at Te Tari Pūreke – Firearms Safety Authority website.

You can contact the Clubs and Ranges Team at clubsandranges@ police.govt.nz

# Seeking and being granted Approval



Before applying for a shooting club to be approved, it is worth checking that the club is eligible and that all the information and documents needed are available.

#### Is your club eligible for approval?

To be approved by Police:

- a pistol club must be a registered incorporated society
- a club for which firearms or ammunition are sold or supplied on behalf must be a registered incorporated society.

<u>Look here</u> for information on setting up an incorporated society.

#### Applying for approval

The application must be made by a person who is authorised to do this on behalf of the club. You will need evidence of that authorisation.

If you are applying for a club to be approved, you must:

- complete and sign the application form that is available here
- provide the supporting information listed below
- send the completed application to Police
- pay the required fee when invoiced by Police.

#### The application form

If you are applying for a club to be approved, you must complete the application form with this information:

- Your name and contact details: physical address, telephone number and e-mail address if you have one.
- The name of the club and address of any premises it has, such as club rooms, as well as an address for communications from Police.

- The name and contact details of a contact person who Police can contact about the club and its operations. This person is most likely to be a committee member but doesn't have to be. They must be 18 years or older and reside in New Zealand.
- The names of the club's officers: those on the committee and in any other position of influence such as a treasurer or chief executive (if not on the committee). Noone can be on a club committee if they are disqualified from holding a firearms licence, or have had a firearms licence revoked within the previous five years. No-one can be on the committee of a pistol club if their pistol endorsement has been revoked within the previous five years.
- Whether or not the club is an incorporated society.
- The club's New Zealand Business Number, if it has one.
- The shooting discipline or disciplines that it follows.
- The aims, objectives and proposed activities
  of the club. These may well be set out in
  the club's rules or constitution, which are
  required as supporting information, so if this
  is the case it's acceptable to simply refer to
  those.
- The name and address of each shooting range the club will use for its shooting activities. This means the range or ranges the club will be organising and conducting its shooting activities on. You don't have to list every range that members will use, for example when taking part in events organised by other clubs.
- Whether firearms or ammunition will be stored at any premises used by the club or at any shooting range used by the club.
- Any other information asked for on the form.

You must sign the form.

#### Supporting information

You must include with the application:

- Evidence that you are authorised by the club to make the application. This is likely to be a letter or a copy of the minutes of a meeting that authorised you.
- A copy of the club's rules or constitution.
- A copy of the minutes of the club's last annual general meeting, if there are any, or for a newly-formed club any minutes of the inaugural meeting.

#### Pistol club

If you are applying on behalf of a pistol club, you must also include:

- the names of all club members
- the firearms licence numbers of all club members who hold a licence
- details of the process for recording participation by club members and visitors in the club's shooting activities.

### If ammunition or firearms are sold on behalf of the club

If you are applying on behalf of a club for which ammunition or firearms are sold or supplied on behalf, you must also include an financial report that contains enough information to:

- reconcile the ammunition or firearms purchased or held on behalf of the club with those sold or supplied on behalf of the club
- show that the revenue generated by the sales or supply is used for the benefit of the club.

The financial report must have been approved according to the club's rules.

#### Additional information

You may include other information if you think it would be useful to Police in making a decision on whether to approve the club. The section below on 'Deciding whether or not to approve a club' lists things Police must be satisfied about before approving a club.

# Information that is already available publicly

If a club is an incorporated society and any of the information needed as part of the application is publicly available in electronic format on the incorporated societies register, you can choose not to include it as part of the application. Please note in the application what that information is.

#### Making the application

You can make the application online or in hard copy. Either:

- scan and submit the completed form to the upload page on the Police website, along with electronic copies of the supporting information (Note: if submitting online, file types must be jpg, jpeg, png or pdf and each file size must not exceed 5MB), or
- post hard copies of the completed application form and the supporting information to: Clubs and Ranges Team, Te Tari Pūreke – Firearms Safety Authority, DX PX10012, Palmerston North.

#### Paying fees

Police will send you an invoice after receiving your application. Once this is paid Police can start processing the application.

The application fee is \$140. This is a one-off fee for processing the application, and does not need to be paid again unless a club has to reapply for approval in the future.

There is annual fee to cover some of the costs of Police's compliance activities in relation to shooting clubs. This is \$40 for a club for which firearms or ammunition are sold on behalf and \$30 for other clubs.

To save processing costs for clubs and for Police, when applying you may choose to pay the annual fee for several years in advance. Otherwise the club will be invoiced annually. All fees include GST of 15%.

# Deciding whether or not to approve a club

You will receive an acknowledgement from Police when your application is received. Police

will review the information provided and may ask you for any additional information it needs for making a decision. Police may also seek information from other sources.

Police will inspect the club or range premises and storage facilities if firearms or ammunition are to be stored at any premises or shooting range used by the club.

Before approving a club, Police must be satisfied that it:

- is appropriately administered
- promotes the safe possession and use of firearms
- has rules about the safe operation of firearms
- will be using a certified shooting range for all of its shooting activities
- is able to safely manage its shooting activities
- has proper storage for any firearm or ammunition held at any premises or shooting range used by the club.

#### **Approval**

Police will issue a certificate of approval if it approves a club. The certificate of approval does not need renewal, and lasts until the club surrenders it or Police cancels it.

However, Police may require a club to reapply for approval if it amalgamates with another club that has a different discipline.

#### Conditions of approval

All certificates of approval are subject to the conditions set out in regulations 28GD to 28GN of the Arms Regulations. These cover:

- merging with another club
- · remaining registered as an incorporated society
- keeping membership records and notifying membership changes to Police
- committee membership
- contact persons
- security of premises and storage facilities if firearms or ammunition are stored
- participating in a pistol club's shooting activities, and keeping records of that participation
- records of ammunition sales
- recording incidents and safety breaches.

A certificate of approval may be issued subject to any other conditions that Police considers appropriate.







# After a club is Approved



An approved club must operate according to the Arms Act and the Arms Regulations.

#### Status of the club

To stay approved:

- a pistol club must remain a registered incorporated society
- a club for which ammunition or firearms are sold or supplied on behalf must remain a registered incorporated society.

#### Committee membership

The committee is the governing body of the club, whether it is called a committee, board or anything else.

No-one can be on a club committee if they are disqualified from holding a firearms licence, or have had a firearms licence revoked within the previous five years.

No-one can be on the committee of a pistol club if their pistol endorsement has been revoked within the previous five years.

# Participating in a pistol club's shooting activities

A fundamental principle of the Arms Act is that possessing and using firearms is a privilege, not a right. This applies to all firearms including pistols.

Pistols pose particular risks because they can be easily concealed so are desirable for illegal use, and because large-capacity pistol magazines are not regulated as large-capacity magazines are for other types of firearms.

The possession and use of pistols are already regulated more tightly than for other firearms, and this also applies to the regulation of pistol clubs. There are, though, still pathways for people who don't hold a firearms licence and pistol endorsement to try pistol shooting in a club environment under strict conditions.

#### Young club members

A member of a pistol club who is under 16 years old may take part in shooting activities organised by an approved pistol club on a certified shooting range, under the immediate supervision of another club member who holds a firearms licence with a pistol endorsement.

When the person turns 16 they may continue to take part in that club's shooting activities under immediate supervision if they remain a club member. However, they must pass an exam conducted by someone approved by Police and apply for a firearms licence and pistol endorsement before they turn 17.

They may still take part in the club's shooting activities under immediate supervision after they turn 17, until they receive their firearms licence and pistol endorsement or their application is declined.

# Non-member who is at least 16 years old

Someone 16 or over who is not a club member may take part in a club's shooting activities on a certified shooting range under the immediate supervision of a club member who holds a firearms licence and pistol endorsement. They may do that no more than three times within a six-month period.

Then they may continue taking part in the club's shooting activities for up to a further 12 months under immediate supervision, provided they join the club and remain a member.

To continue participating in the club's shooting activities under immediate supervision beyond that further 12-month period, they must have passed an exam conducted by someone approved by Police and applied for a firearms licence (if they don't already have one) and a pistol endorsement. They may then continue to take part in that club's shooting activities under immediate supervision until they receive their firearms licence and pistol endorsement, or their application is declined.

#### Members

Conditions of holding a pistol endorsement include that the holder:

- is a member of an approved pistol club
- uses the pistol only for target shooting on a certified pistol shooting range
- takes part in scheduled shooting activities organised by that club on at least 12 days in each year ending 30 June.



#### Records



Approved clubs must keep certain records.

#### All clubs — membership

A club must keep an up-to-date a list of current members and the licence numbers of the members who hold a firearms licence.

### All clubs — incidents or safety breaches

A club must keep a record of incidents or safety breaches that occur during any of its shooting activities that did not result in personal injury or death but had the potential to do so. Each record must be made as soon as reasonably practicable after the event.

The records may be kept electronically or in hard copy, and must be retained by the club for five years. It is planned that these records will be able to be entered in the firearms registry when it is fully operational.

# Clubs for which ammunition are sold or supplied on behalf

A club member who sells or supplies ammunition does not need to meet the legal requirements for ammunition sellers, provided:

- the club member sells or supplies the ammunition either on club premises or to another club member
- the sale or supply activity is approved by the club's committee or a majority of members
- the revenue is used for the benefit of the club.

The club must keep records of these sales. The records may be in hard copy or electronic form, and must include for each sale:

• the name and firearms licence number of the person who sold or supplied the ammunition

- the name of the person who bought or received the ammunition
- the firearms licence number of the person who bought or received the ammunition, or the immediate supervisor if that person doesn't have a firearms licence and obtained the ammunition for use under the immediate supervision of a firearms licence-holder
- the type and quantity of ammunition sold or supplied.

The club must hold the records for 10 years. It is planned that these records will be able to be entered in the firearms registry when it is fully operational.

#### Pistol club — shooting activities

A pistol club must keep a record of the shooting activities it organises each year. The record for each activity must include:

- the date of the activity
- the names of everyone who took part, including non-members
- the firearms licence numbers of the participants if they held a firearms licence.

#### Inspecting records

Police may inspect, print, copy or remove any documents that they reasonably believe are the club's. If Police are entering and inspecting the venue of a club, they must give seven days' notice. This notice may be given by email.



### Reporting



Approved clubs, people holding a firearms licence with a pistol endorsement and other people must report certain things to Police.

#### All people

Anyone who causes bodily injury or death through use of a firearm must report this to Police as soon as reasonably practicable. It is an offence not to do so.

#### Pistol clubs — membership

A pistol club must tell Police within 28 days if:

- someone joins the club
- the club declines a membership application
- a person ceases to be a member of the club, for instance by resigning, being dismissed or not renewing their membership within 28 days of the end of the membership year.

That notification must include (as appropriate) the name of the person involved, their firearms licence number if they hold a licence, the reason for the membership application being declined and the date the person's membership ended.

# Pistol clubs — participation in shooting activities

The club must send Police the records of its shooting activities for each year ending 30 June, no later than 29 July of that year. It is planned that these records will be able to be entered in the firearms registry when it is fully operational.

# Pistol endorsement holders — membership

To hold a pistol endorsement a person must remain a member of an approved pistol club. Clubs for which firearms or ammunition are sold or supplied on behalf If a club for which firearms or ammunition are sold or supplied on behalf loses its certificate of approval, either through surrendering it or having it cancelled by Police, it must immediately send Police all records relating to this sale or supply.

#### Contact person

A club must tell Police if there is a different contact person for the club or if a contact person's name or contact details change. This must be done within 28 days of the change.

#### Club annual report

A club must provide Police with an annual report within five months of the end of its financial year. The annual report must contain:

- any changes to its constitution or rules since it applied for approval or since its last annual report, whichever is later
- any changes to its officers since it applied for approval or since its last annual report, whichever is later
- the minutes of its last annual general meeting.

The annual report of a pistol club must also contain:

- the names of all club members and the firearms licence numbers for all members who hold one
- a list of all shooting activities organised by the club in the past financial year, and their locations
- a list of all shooting activities organised by the club planned to be held in the following financial year, and their locations.

The annual report of a club for which ammunition or firearms are sold or supplied on behalf must also include an approved financial report that contains enough information to:

- reconcile the ammunition or firearms purchased or held on behalf of the club with those sold or supplied on behalf of the club
- show that the revenue generated by the sales or supply is used for the benefit of the club.

If a club is an incorporated society and any of the information needed as part of the annual report is publicly available in electronic format on the incorporated societies register, you can choose

not to include it as part of the annual report. Please note in the report what that information is.

#### Notifying change in status

If a pistol club or any club for which ammunition or firearms are sold on behalf ceases to be registered as an incorporated society, it must notify Police.

If any club amalgamates with another club or ceases to operate, it must notify Police.



#### Security of

### firearms and ammunition



A firearms licence-holder is always responsible for the security and storage of firearms and ammunition in their possession.

Firearms or ammunition are considered to be stored at club or range premises if they are not in the physical possession of a licence-holder. That might be overnight, but also includes shorter periods such as a lunch break during shooting activities.

If firearms or ammunition are stored at premises used by a club, the club is responsible for ensuring that suitable storage facilities are available for licence-holders to use. If firearms or ammunition are stored at a shooting range, the range operator is responsible for ensuring that suitable storage facilities are available for licence-holders to use.

#### Storage

Any firearms stored on premises used by a club and not in the physical possession of a firearms licence-holder must be locked up in either:

- a steel box, steel cabinet or steel safe that is secured to the premises
- a steel and concrete strongroom or secure strongroom
- other facilities that are approved by Police for a specific situation.

Any ammunition stored on premises used by a club and not in the physical possession of a firearms licence-holder must be locked up in an approved container. The container must meet security standards. Either explain them here, or in an appendix to this manual or by reference to particular parts of the secure storage guidelines.

Pistols, pistol magazines and pistol carbine conversion kits must not be stored overnight in premises used by a club without the written consent of Police.

#### **Premises**

A club must ensure that any premises it uses where firearms or ammunition are stored meet security standards. The premises must:

- be in a structurally sound condition
- have strong well-maintained exterior doors with strong locks, bolts, hinges and other fastenings that meet the requirements at section 5 of the <u>Secure Storage and Transportation of Firearms</u> and Ammunition
- have well-maintained windows and skylights with locks, bolts, hinges and other fastenings maintained in good condition that meet the requirements at section 5 of the <u>Secure</u> <u>Storage and Transportation of Firearms and</u> <u>Ammunition</u>.

The club must also take all reasonable steps to secure the premises against unlawful entry when they aren't occupied.

#### **Fees**

The costs of regulating clubs will be partly recovered from the clubs. Fees have been set at approximately half of Police's costs for this regulatory activity. This reflects the balance between private benefit to largely recreational firearm users and public benefit, and the safety outcomes from having an active and supportive club environment for people to participate in shooting activities.

When a club applies for approval, it must pay a fee for processing the application of \$140. Police will send an invoice once the application is made.

Every year a club must pay a fee to help fund compliance activities Police will issue clubs with an invoice, which must be paid before 30 June each year. To save processing costs clubs can choose to prepay annual fees for an agreed period when making their initial application.

The fee is \$40 for clubs for which ammunition or firearms are sold or supplied on behalf, and \$30 for other clubs.

All fees include GST of 15%.

# Compliance and enforcement



Police has set up a dedicated clubs and ranges team to engage with clubs, educate them about the new regulatory framework, monitor compliance and where necessary enforce the law. The temporary suspension lasts until Police notifies the club whether or not the certificate of approval will be cancelled. If Police hasn't notified the club of its decision within 90 days, the suspension ends.

#### Inspection

To ensure that a club is operated in accordance with legal requirements, Police may enter and inspect:

- any place where a club stores firearms or ammunition
- any shooting range, including a club that is part of the range

Police may also inspect, print, copy or remove any documents that they reasonably believe are the club's.

Police must give seven days' notice before entering and inspecting the venue of a club. This notice may be given by email.

#### Improvement notice

Police may issue an improvement notice to a club if it reasonably believes that the club:

- is failing to meet conditions on its certificate of approval, or is likely to fail or has failed to meet those conditions, or
- is contravening a provision in the Arms Act or Arms Regulations, or is likely to contravene or has contravened a provision.

The improvement notice will require the club to comply with the condition or legal provision, or prevent a likely non-compliance or contravention from happening. The notice will specify a reasonable period of time for the club to take the necessary action.

#### Suspension

If Police is satisfied that the club has failed to comply with an improvement notice, it may temporarily suspend the club's operations while considering whether to cancel the club's certificate of approval. This temporary suspension must be notified in writing.

#### Retaining a certificate of approval

A pistol club may no longer holder a certificate of approval if it ceases to be registered as an incorporated society.

A club for which firearms or ammunition are sold or supplied on behalf may no longer holder a certificate of approval if it ceases to be registered as an incorporated society.

#### Cancelling a certificate of approval

Police must cancel a club's certificate of approval if any of these situations apply:

- the club has failed to comply with an improvement notice
- it isn't using a certified shooting range for its shooting activities
- it doesn't promote the safe use and possession of firearms
- it doesn't have rules about the safe operation of firearms
- it isn't being administered appropriately
- it is not able to safely manage its shooting activities
- firearms and ammunition are stored at premises or a shooting range used by the club, but there aren't proper storage facilities
- the club is no longer operating.

At its discretion, Police may cancel a club's certificate of approval if any of these situations apply:

- the club has failed to comply with any conditions on its approval
- the club has failed to report any serious firearms-related safety incident
- a club activity has raised reasonable concern about the safety of its members or the public.



Safe management of structures and operations

Shooting Club Guide