



MINUTES : Firearms Community Advisory Forum

SUBJECT	Firearms Community Advisory Forum
DATE	Thursday 25 July 2019
TIME	0930 - 1600
VENUE	Thorndon Hotel, 24 Hawkestone Street Thorndon
ATTENDEES	MICHAEL DOWLING, ROSS MASON, CATHERINE PETREY, NICOLE MCKEE, ANDREW EDGCOMBE, MIKE MCILRAITH, PETER FURLEY, TIM WATSON, EWAN KELSALL, PETER NOBLE, JARED WRIGHT, JOHN HERBERT, JOE GREEN, SANDRA LOW, DON ROOD, BRIAN BISHOP, FIONA GOWER, TONY RUFFELL, ROGER DUXFIELD, JACK NOLAN, MEREDITH ACKRILL, TREVOR PULLEN, MORGAN GRAY, NATE SWINTON (GUEST FOR MORNING)
APOLOGIES	RAY VINE; GEOFF DUNN, DEBBIE WAKKER, PENN FORREST

Agenda item 1: Welcome and introduction

The Chair welcomed everyone to the meeting and invited a round table.

Confirmation of Chatham House Rules.

Agenda item 2: Confirm previous minutes and update action points

Previous minutes confirmed with Action Points from previous meeting confirmed.

FIREARMS COMMUNITY ADVISORY FORUM – ACTION POINTS FROM PREVIOUS MEETINGS

ACTION POINTS MARCH 2019 MEETING	ASSIGNED TO	STATUS
POLICE TO DRAFT A DASHBOARD ON NUMBERS GOING THROUGH NEW FIREARMS SAFETY PROGRAMME (TRAINING COMPONENT AND THEORY TEST) AND CIRCULATE A DRAFT TO OBTAIN IDEAS ON WHAT OTHER STATISTICS SHOULD BE INCLUDED.	POLICE	UNDER ACTION (MM)
FIREARMS SAFETY TRAINING – POLICE TO PROVIDE SUMMARY SHEET OF THE FIGURES FOR THE FIREARM SAFETY TRAINING TO SHARE WITH FCAF	POLICE	UNDER ACTION

FIREARMS SAFETY MESSAGES – MEMBERS TO PROVIDE SUCCINCT MESSAGES WHICH COULD BE MADE AVAILABLE THROUGH RETAIL OUTLETS.	ALL	UNDER ACTION – FCAF MEMBER GROUPS TO SEND IN MATERIAL FOR CONSIDERATION
CIRCULATE ARMS TRADE TREATY AND OTHER BROKERING INFORMATION	PETER NOBLE	COMPLETED
THE SUB-COMMITTEE TO APPROACH THE PROPERTY INVESTORS ASSOCIATION	FCAF	IN PROGRESS – COLFO REPRESENTATIVE TO LEAD
LOOK AT POSSIBLE INSURANCE INDUSTRY ISSUES AND BODY CORP RULES. FCAF MEMBER	FCAF	IN PROGRESS – COLFO REPRESENTATIVE TO LEAD
A BI-MONTHLY UPDATE ON PROGRESS ON FEE REGULATIONS	POLICE	CLOSED. WILL BECOME PART OF WIDER CONSULTATION PIECE NEXT YEAR
POLICE TO PUBLICLY COMMUNICATE THE COMBINATION OF THEORY AND PRACTICAL TESTS	POLICE	COMPLETED
POLICE TO SHARE THE DRAFT ARMS CODE WITH FCAF ONCE FURTHER WORK IS DONE	POLICE	ON HOLD PENDING POSSIBLE CHANGES TO THE ARMS ACT
POLICE TO ENSURE AGENDA AND ACTION POINTS ARE SENT OUT IN ADVANCE PREFERABLY TWO WEEKS IN ADVANCE	POLICE	COMPLETED

Agenda Item 2: Confirm previous minutes and update action points

Points raised during discussion on the Action Points.

Property Investors Action Point:

Agreed that COLFO will lead this. It was agreed that this would be revisited in the last quarter in case security requirements change in the Legislation. Once confirmed COLFO will approach investors and the insurance industry and report back. Clarified that Police will join this conversation on an as required basis.

Agenda item 3: NZ's National Coordination Mechanism on Small Arms (MFAT)

MFAT asked if everyone was in agreement that FCAF was the most appropriate Forum to be considered as the National Coordination Mechanism on Small Arms (NCM). It was agreed that FCAF was.

A survey was put forward asking about women in FCAF as the NCM. Women on FCAF were asked if they were okay with their name and contact details being recorded on the survey. FCAF members said yes they were happy for this to happen.

A question around extending the exemption allowing international competition shooters to send their now prohibited firearms overseas between now and the end of the amnesty (20 December 2019), and could this allow other who had competed in NZ based international competitions do the same?

Response is that this would broaden significantly and was not the intention. For clarity application can happen up to 20 December for recognised competition shooters. Another exemption is for dual Nationalities or foreigners, they may be able to export their firearms to their natural country if they obtain an export permit from MFAT.

Can this be changed so persons who may wish to compete overseas with prohibited firearms and have not done so before can be eligible?

MFAT stated that the Minister must approve any changes to the agreement and any requested change must be precise around the wording, e.g. a request to have those who have competed in international competitions held in NZ only.

Shooters concern is that it takes away their ability to compete internationally.

FCAF asked if MFAT can take this back to the Minister.

Those interested in seeing changes in this area should write to MFAT and request a change to this outlining reasons.

Agenda item 4: Cost Recovery Update

The progress in this area has been delayed by work on amendments to the Arms Act following 15 March. Those and any further amendments will have implications for the cost of administering the Arms Act. Police continues to look at the cost to Police and opportunities for the recovery of that cost from those who use the service. Some new fees could be introduced, such as for application for Import Permits. There is an option for splitting the licence fee into two parts such as a fee for attendance at the course and assessment with a second fee for vetting assessment and licence issue. Another option is a different fee for first time vetting assessment versus re-assessment for those making repeat applications. This latter would require a change to the Arms Act.

It was noted that the money recovered from fees for Arms Act administration needs to be used specifically for the purpose for which it is collected. There was a comparison made with Vetting cost recovery. It has been noted that this cost has been significantly underestimated and this has had an impact on timeliness of service. Police provided assurance that all fees received were used to administer that Act and that there was a significant operating gap between funds received from licensing and what it costs to administer that Act.

A question was put forward if there is an intention to charge for a permit to import for any part of a firearms? This was still being worked through and would be part of a consultation proposed for next year. It was asked if a person who applied for something that did not require a permit be required to pay? Police will ensure that additional information is made available to ensure that any import permit applicant is well informed before submitting an application.

A draft discussion document will spell out what is being proposed. Police fees can only be set at actual costs. The current financial operating gap for Police to deliver the current level of administration of the Arms Act is around nine million dollars.

Agenda item 5: Legislation Update

Police has set up a prohibited item team in order to handle the new class of exemptions for prohibited firearms, and is aware of the establishment of a company for pest control in order to receive prohibited firearms. People who miss out receiving an exemption can hand in their firearms through the Buy Back (BB) or Amnesty.

A forum member stated that a number of landowners were unhappy about the lack of exemption for those who need firearms for pest control and the requirements of the act are unworkable for those with genuine need.

Police understands this and can only reiterate that those who are eligible for an exemption for pest control need to apply as soon as possible.

It was noted that it is difficult to put a number on how many farmers are affected by the recent prohibition, as the costs associated with pest control varies greatly.

How many people have applied for a prohibited exemption?

The number was not available. Figures will be released at a later date.

Clarification was sought on the reasons for some of the questions about seeking confidential business information, why would this be required?

Police responded that this is because the exemption itself is very tight, not intended to be broad. The questions are there to meet the requirements of the legislation. The information provided is not shared with anybody else

Could this include mutual non-disclosure agreements?

It was again noted that for farmers' costs for pest control could potentially go through the roof – people who own and manage pests on their property, can no longer keep down pest levels on their farms, public image of pest control is not commensurate with what is required.

Agenda item 6: Second Amendment to the Arms Act

FCAF went through the Minute of Decisions taken by the Cabinet Social Wellbeing paper entitled "Strengthening the Framework for the Safe Use and Control of Firearms".

The objective was to enable Police to clarify changes and to enable an understanding of what Ministers were intending and to assist members in developing their thinking on the key elements in particular:

- the registry of information and online registration platform
- codification of some of the fit and proper criteria
- duration of individual firearms licences
- inspection of licence holders premises on notice
- proposed changes to visitor licensing
- proposed changes to criteria for assessment of applications for dealer licence's
- codification of requirements for licensing of clubs and shooting ranges
- licensing decision review process
- compliance and enforcement
- clarification of fee setting powers
- new notice making powers
- Commissioner's stakeholder group
- Requirements for ammunition import and sales
- Import permits for blank firing firearms

- Level of offences and penalties.

Discussion was wide ranging and this part of the meeting took approximately three hours.

Is the intention to have the 2nd tranche enacted in law by end of December 2019?

Officials had not received any advice different from the Prime Minister's announced intention for the Bill to be passed and the Act to take effect by the end of 2019.

Agenda item 7: Buyback (taken out of order and was ahead of the discussion on proposals for the second tranche of changes to the Arms Act).

Update on buy-back. 27 local collection points have been completed, as of 25 July 2600 people have presented and 4016 firearms surrendered. 9496 parts had also been handed in.

Modifications: There will be engagement with gunsmiths to ensure clarity around what will be acceptable permanent modifications would enable a firearm with a tubular magazine to be non-prohibited.

Will information on acceptable modifications be made public?

There will be guidelines for those seeking compensation for their modification. The guidelines will be published. Police has established a gunsmith working group to assist with the development of the guidelines.

Will there be a sympathetic approach to Antique firearms?

The approach will be based on gunsmiths' advice. A firearm can maintain its original appearance but legislative requirements will need to be met.

There are not many gunsmiths around, will this prevent compensation from being delivered within the timeframe?

There is no intention to extend the amnesty timeframe. It is important that those intending to modify their firearm notify Police of their intention

Police undertook to follow on an issue reported by one FCAF member. This was resolved to the satisfaction of the licence holder:

Handing firearms into Dealers: It is envisaged that 30 to 40 dealers will be up and running by mid-August.

What about the prohibited unique firearms?

Police is seeking independent valuers to assist with this process.

Dealer Stock: This process is being finalised. At this point it is expected that buyback of Dealer's stock will commence in early September.

Speed of payment: Police advise that most have been sent payment within 10 days, although some have been paid the same day.

Buyback Base Price list: There is a process for adding additional firearms to the price list through KPMG. Suggested changes goes to a panel and recommendation made to the Commissioner. Changes must be gazetted. To date a further 27 have been added to the list. A further 106 are being considered for review.

Question: Are AR15 lower receivers on the list?

Response: Parts are more challenging and there is currently a process to look at what parts are prohibited and eligible for buyback

Local communities have said there are long wait times at buy-back locations.

As Police experience increases wait times are reducing. Police is working hard to smooth the process. People are encouraged to first complete notification online.

Agenda Item 8: Unregistered Firearms

FCAF member expressed concern that there are people who don't understand that historic arms they own are unlawful and may be inadvertently breaking the law.

Members were reminded that existing amnesty provisions apply to these circumstances.

Agenda item 9: Bona Fide Collector

How do we define a bona fide collector of ammunition, arms, etc.?

This is assessed on a case-by-case basis. Guidance can be found in the note for applicants attached to the C endorsement application form. This notes an individual must show how the item to be retained is part of a collection and demonstrate that any new item fits with and enhances an existing or planned collection. It is anticipated that an applicant will be a member of a collecting club and a member of that club may act as a referee.

A member expressed the view that the question of lack of compensation for prohibited ammunition needed to be revisited as many shooters were left with large quantities of steel-core ammunition which has been bought cheaply for practice but which now could not be used. Some had been sold by NZDF.

A discussion on different types of ammunition then followed, taking about 15 minutes.

Agenda item 10: Prohibited Magazines

FCAF raised the concern that the first amendment bill requires identification marking to be placed on prohibited magazines.

Guidance material will be developed.

A discussion on magazines. If something is prohibited people need to be compensated.

Agenda Item 11: Customs Inspections

Concern was expressed that Customs border staff are unsure of what they are looking at. A view was expressed that if a full inventory is attached then it is easy for someone to mark off items against this. It was acknowledged that there still needs to be some knowledge of what is being looked at.

Customs stated that a fundamental requirement is that the imported goods are checked to ensure they are the same as that for which a permit was issued. It was also noted that the Customs side of importing and the Police permits team have a good relationship and often converse on areas of interest or knowledge gaps.

Where is the permit given and to whom?

Customs gets the original and the importer handed the copy. Will there be an import entry transaction fee. Is there a timeframe for this? Answer: Not at this point.

What is the point of tracking individual screws etc.? Response was that not every single screw was counted per se. And that the changed legislation relates to Prohibited Firearms and Parts – Customs needs to be sure what is coming in matches the permit. Border agencies work on a risk management basis. The permit details must be matched against the consignment received.

Some imports are not looked at are 'ticked off' but held anyway which costs the business, they should be released to the business under the risk management rules. It was noted that because of the ban on prohibited firearms announced following 15 March there are now legal reasons why consignments cannot be released immediately.

All agencies are struggling to become familiar with the requirements of the new legislation work. Open dialogue is important to ensure balanced and correct implementation.

A member commented that it can be difficult to ensure consistency when Customs staff are continually rotated. Customs agreed that it is not ideal and are working on options to cover this.

What if I wish to purchase something that needs a permit? Police are expediting requests as soon as possible. Permits are taking 2-3 days. If issue of the permit takes longer this is often caused by a form not being filled out correctly.

Some individuals make applications for large quantities of permits that they never use. This impacts on those who only require one permit.

In general Police centralised import permit work has received good feedback. If there are any issues FCAF members can contact the team (Trevor Pullen) directly and he will do his best to sort the issue for you.

Timing for online systems are being worked on at the moment due to other priorities. Paper forms are still available and will continue to be.

PEGA (new technology used by Police to manage visitor licence applications) – Visitor electronic licensing and permits is up and running. Police will no longer issue a permit or licence on a visitor's arrival.

Agenda Item 12: Defining New Laws

There was a generalised discussion largely relating to some specific examples relating to buyback.

Three members reported of people being unhappy with the process or payment made. Particular concerns were raised about uncertainty of parts eligible for compensation.

Others FCAF members reported that feedback had been generally positive.

Some expressed concern that magazines had been set at 70% of the new price.

Agenda Item 13: Membership Process

FCAF remains an important forum. Because of recent changes additional people had been invited to join FCAF. This process needs to be formalised. FCAF will continue in its role to provide advice to assist with policy formulation. Membership needs to continue to represent a cross section of the firearms community but the Forum must not get too big.

Item 14: General Business

One member expressed a view that there is considerable anger within the firearms community toward Police and the Government and a feeling like they have not been given a fair go.

FCAF members generally thanked Police for taking members through the released Cabinet Minute and the discussion throughout the day.

How much of the advice that has been given by FCAF that makes it into the cabinet paper, or options provided to Ministers?

Ministers have been made aware of FCAF suggestions and concerns, it definitely influences where certain options land and it does influence Ministers' thinking.

There is a requirement to keep the dialogue open on pest endorsement for control of pests on private land.

There is a concern that Police and shooting community are moving further apart.

Next meeting:

Proposed FCAF meeting date 2019:

- 12 December 2019 – 2 Turnbull Street, 0930 – 1230.

Meeting concluded 1600hrs

ACTION POINTS JULY 2019 MEETING	ASSIGNED TO	STATUS
APPROACH PROPERTY INVESTORS AND REPORT BACK TO FCAF	COLFO	THIRD QUARTER AFTER THE LEGISLATION HAS BEEN INTRODUCED
SEND OUT MAY 16 WORKSHOP NOTES FOR FEEDBACK	POLICE	
POLICE WILL PROVIDE DATA ON TOTAL PEOPLE WHO APPLIED FOR PROHIBITED EXEMPTION THIS	POLICE	
STATISTICS ON PEST CONTROL EXEMPTION	POLICE	
SEND LICENSING COMP TABLE	POLICE	