

22 August 2025

IR-01-25-28978

**s 9(2)(a) OIA**

Tēnā koe **s 9(2)(a) OIA**

Thank you for your Official Information Act 1982 (OIA) request dated 8 August 2025. You asked for:

*1. Changing Legal Justification*

*The original reference to Section 24A(1)(h) of the Arms Act 1983 has now been replaced with Section 60A(1)(c)(iii), which applies when firearm access is “reasonably likely” for someone not deemed fit and proper. If this means that anyone with current or past depression is automatically considered unfit to live at an address where firearms are stored, I request:*

- *Confirmation of the official Police position on this interpretation.*
- *Any internal guidance or policy on applying this section.*
- *Whether this stance has been communicated to the Mental Health Foundation, given its broader implications.*

Firstly, and to address your primary concern, Te Tari Pūreke – Firearms Safety Authority does not as a matter of course deem that *anyone with current or past depression is automatically considered unfit to live at an address where firearms are stored.*

Each circumstance coming to the attention of Te Tari Pūreke is considered on a case-by-case basis.

I refer you to the information on Te Tari Pūreke’s website about health and concerns about either a licence holder or someone in the household of a licence holder:

[Information for firearms licence holders.](#)

There are a number of options available to Te Tari Pūreke to manage risks posed by physical or mental health concerns relating to firearms licence holders. These include:

- imposing firearms licence conditions
- asking you (or the affected household member) to provide a medical assessment; or
- suspending your firearms licence pending possible revocation, under Section 27(1) of the Arms Act 1983 (unless you elect to surrender it earlier).

By way of background, the mission of Te Tari Pūreke is to make firearms use in Aotearoa the safest in the world, by effectively implementing the regulations in accordance with the law to oversee lawful firearms possession in New Zealand.

The Arms Act 1983 (the Act) provides a regulatory framework which seeks to protect the public from the harm that may be caused by the misuse of firearms.

Under the Act, firearms possession is limited to those who has been assessed to be fit and proper to possess firearms. Each fit and proper is performed on a case-by-case basis.

Please refer to section 24A of the Act which sets out the circumstances when an applicant may be found not fit and proper to hold a licence by Te Tari Pūreke: <https://www.legislation.govt.nz/act/public/1983/0044/latest/LMS440359.html>

Individuals are issued a firearms licence on the understanding that they will use a firearm safely and responsibly in compliance with their legal obligations.

In response to the part of your request for internal guidance or policy in applying section 24A(1)(h) of the Act, please see below relevant excerpt from the Police Instructions: Compliance - Revocations, etc. (Arms Act).

<a href="#">24A(1)(h)</a> or	the person shows, or has recently shown, symptoms of a mental or physical illness or injury that may adversely affect their ability to safely possess firearms	Police must be able to demonstrate that a person's mental or physical illness <i>may affect</i> their ability to safely possess firearms. Ideally health practitioner information would support the belief that the illness or injury may impact on their safety (or the safety of others) if they are around firearms.  For example, a person's actions that pose a risk due to a mental health concern may lead to temporary suspension.  The presence of a mental health condition alone will not be enough to invoke this section if that condition is being well managed and there is no reason to think that it will adversely affect their ability to safely possess firearms.
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In addition, please refer to the publicly available responses to previous OIA requests (under Fit and proper status) which outline the processes and considerations that guide Te Tari Pūreke's assessment.

[Official Information Act Responses \(OIAs\) | Firearms Safety Authority New Zealand](#)

The link below may also be of interest to you:

[Hunters fear losing their guns for seeking mental health help. They don't have to](#)

Te Tari Pūreke has not communicated with the Mental Health Foundation specifically about section 24A(1)(h) of the Act, however I can advise that there has been extensive communications between Te Tari Pūreke and the Royal New Zealand College of General Practitioners and other health practitioners regarding this subject matter.

You have the right to ask the Ombudsman to review this decision if you are not satisfied with the response to your request. Information about how to make a complaint is available at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

For your information, Police has developed a process for proactive release of information, so the anonymised response to your request may be publicly released on the New Zealand Police website.

Nāku noa, nā



**Mike McIlraith**  
**Kaihautū Kōtui | Director Partnerships**  
**Te Tari Pūreke | Firearms Safety Authority**