



7 February 2025

IR-01-25-2804

s 9(2)(a) OIA

Tēnā koe s 9(2)(a) OIA

Thank you for your Official Information Act 1982 (OIA) request dated 26 January 2025. You asked for:

Under the current Arms Act, there are firearm surrender provisions where a person may surrender a firearm to a licensed firearms dealer as stated in s59B of the Act. Has New Zealand Police:

- 1) Ever required Dealer or staff of, to divulge the identity of the individual who surrendered the firearm?
- 2) Ever required the Dealer/staff to provide CCTV copies of the surrender, either through a voluntary request, or through a lawful power exercised by Police, to obtain that footage?
- 3) If the answer to question 2 is yes, can Police specify if this was for the purposes of a prosecution, or as part of an intelligence gathering work, or both.

On 27 January 2025 you emailed a correction as follows:

Apologies for the mistake, I cited the wrong section of the Arms Act. It should be citing section 49A (surrender to dealer) rather than 49B (which is for surrender of firearms to Police directly).

I interpret section "49A" (quoted in your correction above) to mean section 59A of the Arms Act 1983 (the Act).

Under section 59A¹ of the Act, any person, whether a licence holder or not, can surrender any arms items to a licensed dealer and is not required to provide any identifying

¹ 59A Surrender by licensed dealer of firearms, etc

(1) A licensed dealer does not contravene [section 10](#) if, on obtaining possession of any of the following items from any person, the licensed dealer surrenders the item within 5 working days to the nearest Police station for inspection and inquiries:

- (a) a pistol:
- (b) a pistol carbine conversion kit:
- (c) a restricted weapon:
- (d) a prohibited item.

(2) A licensed dealer does not contravene [section 12](#) if the licensed dealer does not record the particulars of any of the following items that is received by that dealer and, within 5 working days, surrenders the item to the nearest Police station for inspection and inquiries:

- (a) a firearm:

information at the time of surrender. The licensed dealer does not commit an offence if, within five working days, they surrender the item to the nearest Police station.

In the case of endorsed items (pistols, restricted weapons, prohibited items, pistol carbine conversion kits), if the dealer surrenders the item to Police within five working days, the dealer is not required to comply with either section 10 or 12 of the Act. In effect this means the dealer does not require a permit to take possession of the endorsed item temporarily. The dealer is also not required to take particulars of the person who surrendered the item.

In the case of a firearm (that being a non-prohibited firearm) or an airgun being surrendered, if the dealer surrenders the item to Police within five working days, the dealer is not required to comply with section 12 of the Act. This means the dealer is not required to record the particulars of the person surrendering the item.

In other words, if the person is handing in to a dealer anonymously, section 59B of the Act requires the dealer to surrender it to Police within five working days, otherwise the dealer is then committing an offence.

Once the item is in Police possession, Police undertake inspection and inquiries regarding the item and if no offences relating to the item are identified Police can consider whether or not it is appropriate to return the item to the licensed dealer.

In response to the part of your request regarding CCTV footage, there is no record of any CCTV footage being requested by Police and or Te Tari Pūreke – Firearms Safety Authority therefore Police is refusing this part of your request under section 18(g) of the OIA as the information is not held.

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.

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



Matthew Boddy
Acting Director Operations
Firearms Safety Authority

(b)an airgun:
(c)a pistol:
(d)a pistol carbine conversion kit:
(e)a prohibited item:
(f)a restricted weapon.

Section 59A: replaced, on 25 June 2020, by [section 87](#) of the Arms Legislation Act 2020 (2020 No 23).