

# Guidelines for schools developing a firearms policy:

Developing policy on firearms  
activities/events involving students

JULY 2018

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NZ Principals Federation, New Zealand Education Institute, Association of Intermediate and Middle Schools, Nga Kura a Iwi o Aotearoa, Post Primary Teachers Association, Te Runanga Nui o Ngā Kura Kaupapa Māori o Aotearoa, Secondary Principals Association, Association of Proprietors of Integrated Schools, NZ Area Schools Association, Education Review Office, Canterbury Primary Principals Association (Violence Working Group), NZ Defence Force, NZ Police, WorkSafe, Otago University Department of Health, Ministry of Health, Mountain Safety Council, Pistol NZ, Sport NZ, Target Shooting NZ, NZ Shooting Federation, NZ Secondary School Sports Council, Clay Bird shooting, NZ Secondary School Shooting Champs, Firearms Safety Council, Nga Kura a Iwi o Aotearoa, National Rifle Association of NZ, Firearms Safety Specialists, Council of Licensed Firearms Owners, National Shooters Association, Deer Stalkers Association, Shooting Federation, Rural Woman NZ, and Federated Farmers.

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**New Zealand Government**

# Contents

Introduction.....	4
Some key roles and responsibilities.....	5
When it might be legitimate to allow student involvement with firearms.....	5
Definition of a firearm.....	8
Definition of an airgun.....	8
Imitation firearms.....	8
Souvenirs.....	8
Developing of a policy on firearms and airguns.....	9
Possession.....	10
Immediate Supervision.....	10
Who can possess different types of firearms, airguns and restricted weapons.....	10
Communicating with parents/caregivers, school community and school visitors.....	11
Co-located businesses (eg Early learning services on school sites).....	12
Health and wellbeing considerations.....	12
Health and safety.....	12
Exposure to lead.....	13
Managing risks and risk analysis management plans/safety plans.....	13
The New Zealand Arms Code: Seven basic safety rules for firearms.....	14
Additional Resources.....	14
Tools and resources to support the guidelines for schools developing a firearms policy.....	15

# Introduction

**Schools, parents/caregivers and their communities will have differing views regarding firearms in schools. Some parents/caregivers will oppose the presence and use of firearms in schools. Others are often happy with their safe handling in an educational environment or for firearm safety purposes with strict restrictions and policies on their use.**

The New Zealand School Trustees Association and the Ministry of Education understands there are differing opinions on schools allowing students to participate in activities involving firearms. While we do not support the unsupervised access of firearms in schools, we do acknowledge that there are legitimate circumstances where firearms may be part of students' education or a sporting activity. These may be both on or off school grounds.

Boards of trustees have authority to design and shape their own school curriculum and policies to best meet the needs of their students and communities. This is underpinned by the principles of the *New Zealand Curriculum* and *Te Marautanga o Aotearoa*.

Boards have authority to allow the supervised presence and use of firearms on and off school premises involving students following consultation with their local school community. Boards must ensure they meet all the requirements of the Arms Act 1983 and Arms Regulations 1992.

Schools are a core part of our community and social structure and are important settings for promoting health and wellbeing through education, policies and modelling best behaviour.

The following guidance is for boards when developing a policy involving activities on and off school grounds where students are interacting with firearms in some way. The guidance will also clarify the requirements that need to be considered when drafting a school firearms policy. It is ultimately the board of trustees who will decide on what the firearms policy for their school will look like, in consultation with their communities and within the legal obligations of the Arms Act 1983 and associated regulations.

These guidelines will help you:

- » clarify the situations when firearms are permitted in schools
- » outline processes that a board must follow
- » provide information for boards to consider when reviewing or developing a school policy on firearms.

Boards should use this guide to support them in their decision making process.

**Important:** If your school does not intend to allow firearms for educational purposes, a policy is not needed. You may however like to update your general school policies to reflect this stance.

**Important:** If your school intends to have a firearms policy, this should be noted in your health and safety policy and the risk register should be updated.

*These guidelines are based on the following principles:*

**Principle 1:** All schools are required to provide a lawful and safe physical and emotional environment for students and staff. A safe and lawful environment for students and staff is of paramount importance and therefore must be the primary concern when applying the guidelines.

**Principle 2:** Parents/caregivers, students and the public will have a valid expectation that schools will develop a written policy and procedures to cover circumstances where students are involved in activities relating to firearms and that they will advise parents/caregivers accordingly. Schools must be mindful of these expectations.

## Some key roles and responsibilities

Role	Responsibilities: Arms Act 1983, Arms Regulations 1992, Arms Code, and Health and Safety at Work Act 2015	
Board of Trustees	<ul style="list-style-type: none"> <li>» Ensure your school has sound policies and practices in place which are developed in consultation with the local community</li> <li>» Engage/consult with community</li> <li>» Send letter to parents about upcoming events</li> </ul>	<ul style="list-style-type: none"> <li>» Send consent forms to parents/caregivers</li> <li>» Approve any event involving firearms</li> <li>» Ensure the principal is aware of their responsibilities</li> <li>» Request incident reports</li> </ul>
Principal	<ul style="list-style-type: none"> <li>» Understand the hazards/risks associated with each event</li> <li>» Conduct a risk assessment</li> <li>» Give a heads up to early learning services on school sites</li> </ul>	<ul style="list-style-type: none"> <li>» Notify Board of any incidents</li> <li>» Check firearm licence where these are required</li> </ul>
Teachers	<ul style="list-style-type: none"> <li>» Take reasonable care for their own health and safety and ensure their behaviour does not adversely affect the health and safety of others</li> </ul>	<ul style="list-style-type: none"> <li>» Notify the principal of any incident</li> <li>» Comply with any reasonable instruction from school leadership to allow them to comply with the Arms Act 1983.</li> </ul>
Students	<ul style="list-style-type: none"> <li>» Take reasonable care for their own health and safety and ensure their behaviour does not adversely affect the health and safety of others</li> <li>» Listen to and follow health and safety instructions</li> </ul>	<ul style="list-style-type: none"> <li>» Comply with any reasonable instruction from school leadership to allow them to comply with the Arms Act 1983</li> <li>» Report any dangerous behaviour to a teacher</li> </ul>
Visitors with firearms	<ul style="list-style-type: none"> <li>» Ensure all firearms are unloaded with the bolt removed (where able)</li> <li>» Take reasonable care for their own health and safety and ensure their behaviour does not adversely affect the health and safety of others</li> <li>» On arrival report to the principal</li> </ul>	<ul style="list-style-type: none"> <li>» Have firearms licence ready</li> <li>» Follow schools, policy and procedure for firearms</li> <li>» Comply with all requirements of the Health and Safety at Work Act 2015 and Arms Act 1983.</li> </ul>

## When it might be legitimate to allow student involvement with firearms

There are a range of circumstances where boards might choose to allow firearms onto their premises, or have students involved with firearms outside school premises – such as for careers days, work experience or Anzac Day celebrations. Some schools, more likely to be secondary, may operate a gun/shooting club that uses a local shooting range. The Board may allow the presence or storage of firearms for this purpose. These schools may also participate in inter-school shooting competitions.

It is up to each board to consider if firearms will be allowed on their premises and to define the circumstances in which they might allow their students to participate in activities involving firearms. The policies and procedures surrounding firearms on school premises will be unique to each school and while a policy will endeavour to cover most situations, there are likely to be ‘one off’ situations that will not be clear cut. If this occurs, the principles and rules for other situations can hopefully be applied.

[See Tool 3: Example policy/procedure for the safe use and storage of firearms.](#)

**Key considerations:** What sort of firearm and why it is coming onto the school grounds? Are there any restrictions on this type of firearm? Use the table on the next page to help you determine when it might be legitimate to allow student involvement with firearms.

The table below outlines the limited instances where firearms may be permitted on school premises, under strict supervision. The table also includes instances when students may be allowed to participate in off-site activities involving firearms. **A student may have a firearms licence, however we do not consider/recommend that a student with a firearms licence should supervise other students, or themselves be unsupervised while undertaking activities which involve firearms in a school context.** These instances were identified by school representatives on the extended Schools’ Health and Safety Sector Reference Group:

Situation when firearms may be allowed in school	What type of firearm	What requirements must be met? (some examples included)
Education Outside of the Classroom (EOTC) events such as clay target shooting and controlled activities on school camps	Category A firearms (sporting shotguns and rifles) and airguns	<p><b>For firearms:</b> Whilst in possession or handling firearms, the student must have a firearms licence or if not, be under the immediate supervision of a firearms licence holder.</p> <p><b>For airguns:</b> Whilst in possession or handling airguns, the student if under 18 years of age, must either have a firearms licence or be under the immediate supervision of a licensed person, or a person 18 years or older.</p>
Firearms safety course	Category A firearms and airguns	<p><b>For firearms:</b> Whilst in possession or handling firearms, the student must have a firearms licence or if not, be under the immediate supervision of a firearms licence holder.</p> <p><b>For airguns:</b> Whilst in possession or handling airguns, the student if under 18 years of age, must either have a firearms licence or be under the immediate supervision of a licensed person, or a person 18 years or older.</p>
Sponsorship	Nil	What does the school allow in terms of sponsorship by businesses/ organisations who sell firearms alongside other outdoor merchandise? This is a decision for individual boards, in consultation with their parent community. They must meet all Arms Act 1983 and Arms Regulations 1992, Health and Safety at Work Act 2015 requirements as well as school policies and procedures.
Career day	Category A firearms and airguns	Defence Force/NZ Police career day displays and talks to students. All Arms Act 1983 and Arms Regulations 1992, Health and Safety at Work Act 2015 requirements as well as school policies and procedures must be followed.
Defence Force and NZ Police visits Defence exercises	Restricted weapons	<p>Only Defence Force or NZ Police personnel should hold or possess firearms during a visit to a school.</p> <p>No student, parent/caregiver, volunteer or staff member may hold/ possess a restricted firearm during a Defence Force or NZ Police visit. NZDF may use school grounds (by agreement with the Board of Trustees) for exercises where firearms may be used (such as Exercise Southern Katipo.) This may involve armed domestic and foreign personnel in addition to helicopters and vehicles owned by the NZDF that may be armed such as the LAV and should be outside of school hours.</p>
Auctions involving firearms (The dealer must have the correct licences and endorsements for the type of firearm)	All firearms	<p>This is a decision for individual boards, in consultation with their parent community, They must meet all Arms Act 1983 and Arms Regulations 1992, Health and Safety at Work Act 2015 requirements as well as schools policies and procedures.</p> <p>A school staff member needs to sight the dealers licence (Local NZ Police and Arms Officers can help with this).</p>
School gun/shooting club	Storage of Category A firearms and airguns	<p>All Arms Act 1983 and Arms Regulations 1992, Health and Safety at Work Act 2015 and school policies and procedures must be followed.</p> <p><b>For firearms:</b> Whilst in possession or handling firearms, the student must have a firearms licence or if not, be under the immediate supervision of a firearms licence holder.</p> <p><b>For airguns:</b> Whilst in possession or handling airguns, the student if under 18 years of age, must either have a firearms licence or be under the immediate supervision of a licensed person, or a person 18 years or older.</p>

Situation when firearms may be allowed in school	What type of firearm	What requirements must be met? (some examples included)
Pest control	Category A firearms and airguns	Destruction of pest animals such as rabbits, possums or magpies by a licensed firearms holder outside of school hours. Where possible a pest control professional should be employed.
Inter-school shooting competitions	Category A (or a pistol if at pistol club)	<p><b>For firearms:</b> Whilst in possession or handling firearms, the student must have a firearms licence or if not, be under the immediate supervision of a firearms licence holder. <b>For the use of pistols</b> the student have the correct endorsement or be under the immediate supervision of a licence holder with correct endorsement.</p> <p><b>For airguns:</b> Whilst in possession or handling airguns, the student if under 18 years of age, must either have a firearms licence or be under the immediate supervision of a licensed person, or a person 18 years or older.</p> <p>All Arms Act 1983 and Arms Regulations 1992, Health and Safety at Work Act 2015 and school policies and procedures must be followed.</p>
Hostels	Storage of Category A firearms and airguns	<p>Some schools may choose to store firearms for hostel students. They must meet all Arms Act 1983 and Arms Regulations 1992, Health and Safety at Work Act 2015 and school policies and procedures requirements.</p> <p><b>For firearms:</b> Whilst in possession or handling firearms, the student must have a firearms licence or if not, be under the immediate supervision of a firearms licence holder.</p> <p><b>For airguns:</b> Whilst in possession or handling airguns, the student if under 18 years of age, must either have a firearms licence or be under the immediate supervision of a licensed person, or a person 18 years or older.</p>
Legally transported firearms	Category A firearms	Firearms being transported for use and which, remain in a vehicle must be under the immediate supervision of the licence holder, at all times. They should be in a gun bag, unloaded and have their bolt removed.
Fundraising (offsite event, but start/end of event hosted at school)	Storage of Category A firearms and airguns	These activities are generally held off school grounds eg a pig hunt, rabbit hunt or possum hunt. All Arms Act 1983 and Arms Regulations 1992, Health and Safety at Work Act 2015 and school policies and procedures must be followed.
Amusement devices	Air and pellet guns	School fairs (eg fixed pellet guns for shooting metal bunnies/ducks). All Arms Act 1983 and Arms Regulations 1992, Health and Safety at Work Act 2015 and school policies and procedures must be followed.
Imitation firearms (School plays, endorsed performers)	Imitation firearms	School plays, endorsed performers. All Arms Act 1983 and Arms Regulations 1992, Health and Safety at Work Act 2015 and school policies and procedures must be followed.
Civil Defence and emergencies (see Defence Force and NZ Police visits above)		During natural disasters, Defence Force helicopters/vehicles landing/entering on school grounds.
Cadet forces	Category A	All Arms Act 1983 and Arms Regulations 1992, Health and Safety at Work Act 2015 and school policies and procedures must be followed.

**Note:** Members of the Armed Forces and Cadet Forces (as well as NZ Police) are exempt from the licensing requirements of the Arms Act 1983.

## Definition of a firearm

The Arms Act 1983 defines a firearm as anything from which any shot, bullet, missile or other projectile can be discharged by force of explosive. It includes anything that has been adapted so that it can discharge any shot, bullet, missile or other projectile by force of explosive.

It includes anything that for the time being is not capable of discharging any shot, bullet, missile or other projectile by force of explosive, but which by its completion or repair would be capable of doing so. It also includes anything which is for the time being dismantled or partially dismantled; and also any specially dangerous airgun.

**Every firearms licence** is subject to conditions relating to the security precautions that are required to be met by the holder of the licence. These security requirements for A category firearms are contained in Regulation 19 (or Regulation 28 for pistols, restricted weapons or MSSAs), of the Arms Regulations 1992 and apply if firearms are stored or transported.

## Definition of an airgun

An airgun is any air rifle, air pistol or weapon that has a gas or compressed air firing mechanism. Under the Arms Act 1983, 'airgun' includes air rifles, air pistols, BB guns, soft air pellet guns and paintball guns. Some more powerful airguns (classified as specially dangerous airguns) are treated in the Arms Act 1983 as firearms. Check the Arms Act 1983 or ask your local NZ Police arms officer for more information.

## Imitation firearms

'Imitation firearm' means anything that has the appearance of being a firearm capable of discharging any shot, bullet, missile or other projectile, whether or not it is capable of discharging any such projectile. This includes toy guns.

Carrying an imitation firearm without a lawful, proper and sufficient purpose is an offence under Section 46 of the Arms Act 1983.

## Souvenirs

Sometimes students like to collect, take or 'souvenir' empty cartridges. Students should not be encouraged to collect, take or 'souvenir' empty cartridges or any other part of a firearm.

The standing orders of a shooting range will clarify if this is permitted or not. Students should ask the supervising firearms licence holder for permission before collection. Note: It is unlawful to collect a component of a pistol, restricted weapon or MSSA.



# Developing a policy on firearms and airguns

Principals (on behalf of their boards) should consult with their community before adopting a firearms policy or amending their health and safety policy.

A firearms policy is to ensure students and staff are safe in the event that firearms are proposed to be on a school site or if students are to be involved in an offsite activity involving firearms. The policy should clearly outline your obligations under the Arms Act 1983, and Arms Regulation 1992 and help you comply with your requirements under the Health and Safety at Work Act 2015.

Schools will need to ensure they comply with the requirements under the Health and Safety at Work Act 2015 and the Arms Act 1983 (including Regulation 19 - Storage Facilities) at all times.

A policy on firearms will help boards, staff, parents and students to have a clear understanding of what is acceptable in terms of firearms on and off school grounds, offsite activities involving students, at school events and in (or not in) the presence of students.

- » If, as a principal/board of trustees, you decide you do not want firearms on your school site under any circumstances, it is important to document that in a policy. This could be within your overarching health and safety policy, and does not need to be an independent policy.
- » If you do want curriculum-related firearms activities on or off school sites, your policy should explain when and what type of firearms/airguns will be available and at what kinds of events, and should show how you will comply with the requirements of the Arms Act 1983. The secure storage and handling of firearms and the supervision practices in place will need to be documented.

Regular scheduled curriculum and sporting activities involving firearms must be covered by a policy and rules that are based on the Arms Act 1983 and Arms Regulations 1992 and follow school health and safety procedures. These activities may have their own Standing Orders/rules, such as in the case of school shooting clubs.

## A policy should:

- » Outline the legal framework of the Arms Act 1983 and Arms Regulations 1992 under which you are operating.
- » Outline the board's approach to the presence of firearms and firearm safety courses for students.
- » Outline the provisions for firearms safety courses.
- » Be developed in partnership with the school's wider community to ensure that it reflects the community values, philosophies, ethos, goals and lived experiences.

If you do intend to have events/activities involving firearms on school sites or involving students, your policy should explain how the requirements of the Arms Act 1983 and Arms Regulations 1992 will be complied with and cover:

- » The need to sight the firearms licence of those attending with firearms and that they have the appropriate endorsements
- » The approval process required for the event/activity, including the need to sight the firearms licence of those attending with firearms and that they have the appropriate endorsements
- » The sign in and out requirements for the school, both of firearms holders and those visitors attending the activity
- » What type of firearms/airguns are allowed onsite
- » What type of events are considered acceptable
- » The way the firearms will be secured in storage when not being handled/possessed and how they will be identified (which will need to be determined in consultation with the local NZ Police arms officer and subject to their inspection)
- » That access to stored firearms is only by a staff member with a firearms licence
- » What level of handling/possession of firearms by students will be permitted
- » The level of supervision by a licence holder(s) that will need to be in place (this could include at least one member of staff with a licence)
- » A risk management process

The firearms policy and procedures should be provided to anyone wishing to bring firearms onto school grounds or involve students in firearms related activities. It should also be available for parents /caregivers online.

A *firearms in schools* checklist will help you with developing your schools policy/procedure. [See Tool 1: Policy development checklist](#) and [Tool 3: Example policy/procedure for the safe use and storage of firearms](#). Tool three should be customised by your school to suit your particular requirements and circumstances. Firearms procedures underpin the school's more generic health and safety policy.

## Possession

The word 'possession' can mean different things in different contexts. Ideally, a possessor of a thing has complete physical control over it and knows of its existence, its location and its qualities (as found in *Robertson v NZ Police* unreported, High Court Palmerston North, 8 July 1988, AP138/88). Whether possession implies complete physical control depends on the circumstances.

Under Section 66 of the Arms Act 1983, every person in occupation of any land or a building (such as a school hostel), or the driver of any vehicle (such as transporting students to a firing range and carrying firearms), is deemed to be in possession of any firearm found on that land, building, or vehicle, unless the person proves that the firearm was not theirs and that the firearm was in the possession of some other person.

For example if a member of staff is transporting students to a firing range and carrying firearms in their vehicle, that staff member must have a current firearms licence; or the licensed person who is the owner of those firearms will need to accompany their firearms. If your school stores firearms, there will need to be member/s of staff with a current firearms licence responsible for the firearms stored there and access to the security. Possessing a firearm without a licence is a breach of the Arms Act 1983.

## Immediate Supervision

'Immediate supervision' means that the licensed person is within reach and actively supervising the person using a firearm or airgun. The person providing the supervision must be able to take control of the firearm or airgun. They cannot be in possession or control of another firearm or airgun. On a shooting range or paintball field, the rules in place, such as a fenced field and supervision of umpires, referees or range officers may contribute towards supervision, providing circumstances allow supervisors to take quick and easy control of the firearm or airgun when required. In the education setting this "person" should be an adult and not a student holding a firearms licence.

## Who can possess different types of firearms, airguns and restricted weapons

Item	Who can handle/possess the firearm	Notes
Category A (sporting) firearms Specially dangerous airguns	<ul style="list-style-type: none"> <li>» Firearms licence holders, Defence and NZ Police personnel</li> <li>» Others while under 'immediate supervision' of a licence holder</li> <li>» But not individuals whose firearms licence has been revoked.</li> </ul>	<p>Unless students handling firearms are firearms licence holders, arrangements will need to be made to ensure licensed adults can provide immediate supervision of those handling the firearm.</p> <p>The decision to allow touching/holding of a firearm during these visits is to be made by the school board, in consultation with the local parent community.</p>

Item	Who can handle/possess the firearm	Notes
Airguns	<ul style="list-style-type: none"> <li>» Persons 18 years of age or older.</li> <li>» Persons aged between 16 to 18 years of age who hold a firearms licence.</li> <li>» Persons under 18 years of age while under 'immediate supervision' of a licence holder or a person aged 18 years of age or older.</li> </ul>	If students are not 18 years or older or holders of a firearms licence, arrangements will need to be made to ensure licensed persons or persons 18 years or older can provide immediate supervision to those handling the airgun.
Military style semiautomatic firearms (MSSA)	<ul style="list-style-type: none"> <li>» Only the person who is licensed with a specific endorsement to possess that MSSA.</li> </ul>	If a MSSA is brought to the school for display purposes, it must not be handled /possessed by the students.
Pistols	<ul style="list-style-type: none"> <li>» The person who is licensed with the correct endorsement to possess that pistol.</li> <li>» Others while on the range of an incorporated pistol club recognised by the Commissioner of Police and under the immediate supervision of a licence holder with the correct endorsement to possess the pistol.</li> </ul>	Because there are licensing conditions on where pistols may be carried and they can only be used on a recognised range, pistol-related events would need to be held at a recognised pistol range with the assistance of appropriately licensed and endorsed individuals.
Restricted weapons	<ul style="list-style-type: none"> <li>» Only Defence Force or Police, or the person who is licensed with a specific endorsement to possess that restricted weapon.</li> </ul>	<p>If a restricted weapon is brought to the school for display purposes (eg during a Defence Force visit), it should not be handled /possessed by the students.</p> <p>The person/s in possession of a restricted firearm needs to ensure any actions taken in relation to their weapons, must not lead to a student, their supervisor/teacher, or a member of the public unknowingly incriminating themselves.</p>
Imitation firearms	<ul style="list-style-type: none"> <li>» Anyone. However, carrying an imitation firearm without a lawful, proper, and sufficient purpose is an offence.</li> </ul>	For example, an imitation firearm might be used in a school theatrical event. A supervising school staff member would not need a licence for an imitation firearm eg in a school play.

## Communicating with parents caregivers, school community and school visitors

Communication with parents/caregivers and school visitors is important when organising an event involving firearms. Principals should write to the parents/caregivers and community outlining details of the event and seeking parental/caregiver consent. The information given to them should be sufficiently detailed to ensure that they can make an informed decision about their child's participation. Many activities may have a high level of perceived risk but a low level of residual risk [See Tool 5: Parent/Caregiver information letter.](#)

A parental/caregiver consent form should be completed for each student. The form should include an option for a parent/caregiver to consent, as well as, an option to decline consent. If parents withhold consent, the student should not be involved in the learning experience. However, the learning outcomes of the experience should be delivered to the student in some other way. [See Tool](#)

If the parents/caregivers give conditional consent, the school will need to conduct an individual risk assessment on whether the student may be involved in the learning experience or not.

[See Tool 4: Application for firearm storage.](#)

When organising a sports event ensure you submit your safety plan to the New Zealand Secondary School Sports Council (NZSSSC) for endorsement.

## Co-located businesses

### eg Early learning services on school sites

Many schools have early learning services on their premises. When firearms are to be present on school grounds that share premises with services, there should be a process in place to notify the services of the risks associated with a firearms-related event. This should be done prior to the event taking place.

## Health and wellbeing considerations

The physical and mental wellbeing of students is a priority for all schools. Some students may have increased anxiety about or heightened sensitivity around firearms.

The series of questions below should be considered when organising a curriculum related activity involving firearms:

- » Will an activity involving firearms impact on the mental and physical wellbeing of students.
- » Have any of our students come to New Zealand from a war-torn country? Are any of these students former refugees where firearms violence contributed to them coming to New Zealand?
- » Should we invite parents/caregivers of anxious students to attend to support their child?
- » Are we aware of any students who have been subject to or a witness of firearms violence/ domestic violence involving firearms?
- » Have we ensured the appropriate support is in place for students who have had a negative experience with firearms?

## Health and safety

The Board (as the legal entity and PCBU) under the Health and Safety at Work Act 2015 (HSWA) has an obligation to do what is reasonably practicable to keep workers and others safe. Workers include (but are not limited to) employees, volunteer workers, contractors, student teachers and trainees. Others include students and visitors to the school. Keeping workers and others safe means thinking about and formulating policies on whether firearms will be present and/or used in the school environment and, if they are allowed, developing restrictions and rules surrounding that presence and use.

Risk analysis management plans should be formulated each time firearms are brought on to school premises.

HSWA encourages a proactive approach to keeping people safe from harm. Read more information about your obligations under HSWA here:

<http://education.govt.nz/ministry-of-education/specific-initiatives/health-and-safety/h-and-s-for-boards-of-trustees-and-school-leaders/>

## Exposure to lead

Lead accumulates in your body, so even small amounts can pose a health hazard over time. People using firearms, handling ammunition or visiting shooting ranges are at risk of inhaling or swallowing lead particles, or to a lesser extent, absorbing lead through the skin.

Lead poisoning can have serious health implications. Lead is a toxic substance that can affect people of any age. It is especially harmful to children, pregnant women and unborn babies. Additional information on lead poisoning is available here:

<https://www.health.govt.nz/your-health/conditions-and-treatments/diseases-and-illnesses/lead-poisoning>

A copy of the Ministry of Health's guidelines on lead-exposed persons can be found here:

<https://www.health.govt.nz/publication/environmental-case-management-lead-exposed-persons>

Students and staff should be encouraged to wash their hands and face at the completion of any live firing exercise to avoid possible lead contamination.

Hearing protection and other personal protective equipment when shooting is recommended as best practice by most shooting ranges. Ventilation should be installed and operating at indoor shooting ranges.

Information about hygiene is available on pages 71 (generic advice) and 121 (shooting) – Ministry of Health's guidelines on lead-exposed persons.

For further information about dealing with environmental exposure to lead please contact your District Health Board's public health unit. If you are concerned about exposure to lead, talk with your GP.

## Managing risks and risk analysis management/safety plans

Active management of risk allows a board to its primary duty of care, as far as reasonably practicable, to its workers and others.

### How to manage health and safety risks effectively

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Health and safety is everyone's responsibility. To manage health and safety risks effectively schools can follow these four steps:

1. Identify hazards: find out what situations and things could cause death, injury or illness.
2. Assess risks: understand the nature of the risk that could be caused by the hazard, what the consequences could be and the likelihood of it happening.
3. Control risks: implement the most effective control measures that are reasonably practicable in the circumstances and comply with the Arms Act 1983 and Arms Regulations 1992.
4. Review control measures to ensure they are working as planned and review them on an annual basis. Contact your local NZ Police arms officer for additional support if needed.

# The New Zealand Arms Code: Seven basic safety rules for firearms

1. Treat every firearm as loaded
2. Always point firearms in a safe direction
3. Load a firearm only when ready to fire
4. Identify your target beyond all doubt
5. Check your firing zone
6. Store firearms and ammunition safely
7. Avoid alcohol or drugs when handling firearms

Learn more about the seven basic rules for firearms here:

<http://www.police.govt.nz/advice/firearms-and-safety/arms-code/seven-firearms-safety-rules>

## Additional Resources

- » NZ Police Firearms Safety homepage:  
<http://www.police.govt.nz/advice/firearms-and-safety>
- » Arms Code:  
<http://www.police.govt.nz/advice/firearms-and-safety/arms-code>
- » New Zealand Secondary Schools Sports Council:  
<http://www.nzsssc.org.nz/>
- » Watch a series of videos produced by the Mountain Safety Council and Big Game Hunting NZ:  
<https://www.youtube.com/playlist?list=PLeLnlpLtcBkq6XcRUijUTEgSgdo9u69KF>
- » WorkSafe New Zealand:  
<http://www.worksafe.govt.nz/worksafe/>
- » Firearms Safety Specialists NZ:  
[www.fss.nz](http://www.fss.nz)
- » New Zealand School Trustees Association:  
<http://www.nzsta.org.nz/>

**The Mountain Safety Council** is happy to answer any questions you have about setting up an event involving firearms: [firearms@mountainsafety.org.nz](mailto:firearms@mountainsafety.org.nz)

# Tools and resources to support the guidelines for schools developing a firearms policy

## Contents

Tool 1: Policy development checklist .....	16
Tool 2: Event checklist .....	17
Tool 3: Example policy/procedure for the safe use and storage of firearms .....	18
Tool 4: Application for firearm storage .....	20
Tool 5: Parental/Caregiver Information Letter .....	21
Tool 6: Parental/Caregiver consent.....	22
Tool 7: Firearms log .....	23
Tool 8: Arms Act 1983 .....	24

# Tool 1: Policy development checklist

**Note:** This tool is an *example only* and should be customised to meet the individual needs of your school. **Please note if your school does not intend to allow firearms for educational purposes, a policy is not needed.**

Checklist	Checked
Our commitment to comply with the Arms Act 1983 is clearly outlined, considered and any issues addressed.	
Our policy has been developed in partnership with the school's wider community to ensure that it reflects the community values, philosophies, ethos, goals and lived experiences.	
We have outlined the Board's approach to the presence of firearms and firearm safety courses for students.	
<p>If our students participate in extra-curricular shooting activities:</p> <ul style="list-style-type: none"> <li>» We have considered the need for firearm safety courses.</li> <li>» At least one staff member will be required to hold a firearms licence if they are transporting a firearm to and from school grounds.</li> </ul> <p>Note: A staff member does not have to hold a firearms licence if the activity is being held offsite and under the immediate supervision of a firearms licence holder (eg at a shooting range).</p> <ul style="list-style-type: none"> <li>» We have annual inspections of our storage facilities, conducted by NZ Police.</li> <li>» Firearms will be carried in a way that they are not easily identifiable when being transported and will be in a proper firearms bag.</li> </ul>	
A risk analysis management plan (safety plan) will be in place for each event.	
We have a set of rules that students and school visitors must adhere to.	
<b>Storage: Have we considered the appropriate and safe storage of firearms on school sites or hostel premises?</b>	
Firearms are registered and logged upon entering the storage facility.	
Firearms are put in to the care of the school immediately on arrival.	
Firearms are only exchanged between firearms licence holders.	
Firearms licences and endorsements are checked.	
Only staff with a firearms licence have access to our firearms storage facility.	
Ammunition and firearms are stored separately.	
Students, parents/caregivers are aware that firearms must be immediately stored in the firearms storage facility upon arrival on school property, when not under the immediate and personal supervision of a person with a firearms licence.	



## Tool 2: Event checklist

**Note:** This tool is an *example only* and should be customised to meet the individual needs of your school.

Firearms are only to be brought on to school grounds as outlined in the Ministry of Education guidelines. These include for educational purposes, Defence Force and NZ Police visits, careers days, firearms safety courses, antique auctions, pest control or special events such as Anzac day. Only inert rounds should be used for demonstration. No live rounds of ammunition should ever be in the possession of the demonstrator.

You should consider the following factors when formulating your policies and procedures:

Checklist	Checked
We have clearly defined the nature of the activity allowing firearms on school premises or students to participate in an offsite activity involving firearms.	
We know what sort of firearms are coming into the school and what restrictions may apply to them. This includes airguns and replica guns.	
We have written to the parent/caregiver community clearly outlining the event and sought permission for students to participate.	
The Board can be assured that ammunition is stored separately from firearms.	
Alternative learning experiences are available for students not participating.	
We have considered the appropriate and safe storage of firearms on school sites or hostel premises during the event.	
When events are held on school premises (eg careers days), all person(s) carrying firearms have had their licence(s) checked.	
A member of staff or Board has been appointed as the key contact person during the event.	
The firearm demonstrator should keep their firearms in a case during transportation. Their licence will be inspected. No ammunition, other than dummy/inert ammunition, should be in the possession of the demonstrator.	
The period of instruction should be pre-approved by school staff, including the staff contact person.	
The period of instruction should include an overview of the <b>seven basic firearms safety rules</b> : <a href="http://www.police.govt.nz/advice/firearms-and-safety/arms-code/seven-firearms-safety-rules">http://www.police.govt.nz/advice/firearms-and-safety/arms-code/seven-firearms-safety-rules</a>	

## Tool 3: Example policy/procedure for the safe use and storage of firearms

**Note:** This tool is an **example only** and should be customised to meet the individual needs of your school. If your school does not envisage bringing firearms on to school premises for the purposes of educational outcomes, then a policy is not needed. You may wish to note this stance in your general policies.

This policy should be read in conjunction with the Arms Act 1983 and *Health and Safety at Work Act 2015: A Practical Guide for Boards of Trustees and School Leaders*.

### Purpose:

The board of trustees is committed to ensuring the health and safety of all workers, students, visitors and contractors by complying with the Arms Act 1983 and Arms Regulations 1992.

This policy applies to and is to be followed by all members of the school's leadership team, workers, students, contractors, temporary workers, volunteers and visitors.

The Arms Act 1983 defines a firearm as anything from which any shot, bullet, missile or other projectile can be discharged by force of explosive. It includes anything that has been adapted so that it can discharge any shot, bullet, missile or other projectile by force of explosive. This also includes specially dangerous airguns.

It also includes anything that for the time being is not capable of discharging any shot, bullet, missile or other projectile by force of explosive, but which by its completion or repair would be capable of doing so.

The Board is committed to:

- » Complying with the Arms Act 1983.
- » Engaging with the local community and understanding their position on firearms in schools.
- » Providing alternative educational opportunities for students who do not have parental consent to be involved with firearms related activities.
- » Running regular firearm safety courses for students who participate in small bore and clay bird/target shooting activities or who store firearms at school.
- » Requiring at least one staff member to hold a firearms licence, if we store firearms on school grounds.
- » Ensuring there are alternative arrangements in place for communicating with parents/caregivers whose first language is not English and/or te reo Māori.
- » Completing a risk analysis management plan for each event involving firearms.
- » Having our firearms storage unit/armoury regularly inspected by NZ Police and as determined by NZ Police District practices.

### Procedures:

- » Firearms are only to be brought on to school grounds as outlined in the Ministry of Education guidelines. These include for educational purposes, Defence Force and NZ Police visits, careers days, firearms safety courses, antique auctions, pest control or special events such as Anzac day.
- » All firearms brought on to school grounds must be unloaded. Their bolts should also be removed.
- » No ammunition shall be brought on to school grounds with firearms. Except for good, proper and lawful reasons such as pest control, EOTC activities, a Anzac Commemorative event where blanks/ dummies/ inert ammunition may be used.
- » The principal shall consult with the parent community before any firearms are brought on to school grounds as to whether the programme fits with their values and beliefs.
- » Before firearms are brought on to school grounds a risk analysis management plan shall be completed and made available to parents of children involved in the firearms programme.
- » Outside of the processes outlined above, firearms should only be brought onto school grounds in emergency situations (eg. NZ Police).
- » Firearms on school grounds shall, at all times, be under the control and responsibility of an authorised user who shall also hold an

appropriate firearms licence (unless the activity is endorsed by the school and involves board approved student participation.) The principal or appointed member of staff shall sight the firearms licence of each authorised user bringing firearms on to school grounds.

- » The principal shall maintain a log of all firearms brought on to school grounds, arrival and departure time, the name and signature of

the authorised user and their firearms licence number and expiry date.

- » The authorised user shall comply with the seven firearms safety rules as specified by the NZ Police.
- » These procedures will not need to be followed by the NZ Police or Armed Forces personnel in the event of a security incident where they need to come on to school premises for law enforcement or national security purposes.

#### Storage for firearms procedure:

1. The principal or other senior member of staff with a current firearms licence is responsible for the security of the firearms storage unit/armoury.
2. Firearms storage unit/armoury is always locked in accordance with the required standard.
3. The principal or other senior member of staff will always hold a current firearms licence.
4. The firearms storage unit/armoury has been approved by the NZ Police in accordance with the relevant legislation and regular inspections are carried out by local Police.
5. Only firearms possessed by a firearms licence holder are to be in the storage facility
6. All students who have firearms stored at school must follow these steps:
  - a. Participate in regular safety training.
  - b. The firearm must be in a clearly named and proper firearms case and always stored in the firearms storage unit/armoury.
  - c. No ammunition can be stored directly with the firearm at any location within school grounds.
  - d. Students must never have any live ammunition on their person or in their possession unless they are participating in a school endorsed activity.
  - e. A firearm can only be moved from the firearms storage unit/armoury with an adult present. The adult must be a staff member and hold a firearms licence.

Note: Even if a student holds a firearms licence they must not remove a firearm from the storage unit/armoury, unless a licensed adult is present.

#### Review

This policy shall be reviewed every two years or more regularly by agreement. The provisions of this agreement may be varied by the Board following consultation with workers.

#### Signatures

Signed ..... Dated \_\_\_\_/\_\_\_\_/\_\_\_\_

Signed ..... Dated \_\_\_\_/\_\_\_\_/\_\_\_\_

## Tool 4: Application for firearm storage

**Note:** This tool is an *example only* and should be customised to meet the individual needs of your school.

**Name:** ..... **Contact No:** .....

**Make:** ..... **Serial No:** .....

**Firearm Licence number:** .....

(if the student does not have a firearms licence,  
then the licence of the firearm owner)

A photocopy of the licence must be attached  
to this application

I acknowledge that health, safety and wellbeing of students, staff and volunteers is paramount.

I agree to participate in any firearms safety opportunities offered to me.

I acknowledge that awareness and training in the safe use of a firearm is the responsibility of my parents/  
caregivers and myself.

I agree that the rules set out in the school's firearms policy are appropriate and that I will comply with these  
at all times. I agree:

1. to take part in regular safety training
2. to ensure our firearm is in a clearly named and proper firearms case
3. the firearm will always be stored in the firearms storage unit/armoury unless it is being used for an approved school curriculum related activity
4. I will not store any ammunition with my firearm, in the firearms storage unit/armoury, or at any other location on school grounds
5. I will never have ammunition on my person or in my possession, unless during an approved school curriculum related activity
6. I will only move the firearm from the storage unit/armoury with an adult present. I know and acknowledge that the adult must be a staff or Board member and hold a firearms licence
7. I understand that if I do not comply with any of the above rules, permission to have the firearm stored at school will be withdrawn
8. that the firearm must be appropriately insured.

..... **Student**

..... **Date**

### Statement:

We have read our schools firearms policy and undertake to comply with all the rules and requirements set out here and in the Policy. We are also committed to comply at all times with the requirements and regulations under the Arms Act 1983.

..... **Student**

..... **Date**

..... **Parent/caregiver**

..... **Date**

..... **Principal**

..... **Date**

## Tool 5: Parental/caregiver information letter

**Note:** This tool is an *example only* and should be customised to meet the individual needs of your school. This tool should be used when firearms are to be present in your school.

Dear Parent/Caregiver (insert name)

On (insert date) our school is proposing to hold an event/educational experience that may involve firearms.

The health, safety and wellbeing of our students, teachers and volunteers is a priority for our school. We have completed a risk assessment to make sure your children and our staff and volunteers are safe.

As with all events this event will contain risks, including [detail of risks]. This event is managed by school staff who will manage risks and hazards according to the school's safety management plan. You can read a copy of our firearms policy here (insert link to policy). While risks can be maintained to acceptable levels they cannot be totally eliminated. Some risk is retained for its learning and experiential value.

**Event details (if being hosted by a 3rd party, off-site provider include a copy of their promotional flyer):**

[Times: meeting time and place]

[Return: time and place - if offsite]

[Transport details]

[Clothing and equipment required]

[Costs , if any]

[Venue/accommodation details, including address and phone number]

For safety reasons, it is important that students follow instructions given to them by all staff and follow all appropriate school rules. Behaviour by students that is deemed dangerous and puts themselves and/or others at undue risk will result in [insert schools behavior management rules].

Please consider whether you would like your child to participate and complete the enclosed consent form.

Please feel free to contact me with any queries [provide contact number]

Yours sincerely

(insert name)

## Tool 6: Parental/caregiver consent

**Note:** This tool is an *example only* and should be customised to meet the individual needs of your school.

Summary of activity: on (insert date) our school is hosting an educational experience that may involve firearms coming on to school grounds or students participating in an offsite activity where firearms may be present or used under immediate supervision.

### Parental/caregiver (circle one)

- » I agree to my child taking part in the above activity which may involve contact with firearms or observing the use of firearms. I have received sufficient information on which to base a decision and I agree to their participation in the activities described. I acknowledge the need for them to behave responsibly.
- » I don't agree to my child taking part in the above activity which may involve contact with firearms or observing the use of firearms. I note my child will be offered a meaningful alternative.

### Acknowledgement of risks

- » I have read the event information and I understand that there are risks associated with involvement in school events that may involve firearms and that these risks cannot be completely eliminated.
- » I have been informed that this event will be managed in a manner that will comply at all times with the Arms Act 1983 and the Arms Regulations 1992.
- » I understand that the school will undertake to identify any risks and hazards, and implement correct management procedures to eliminate or minimise these risks.
- » I understand my child has been involved in the development of safety procedures and I will do my best to ensure that my child follows these procedures.
- » I know that I am able to ask any questions of the school about the activities my child will be involved in, to gain a better understanding of the risks involved.
- » I recognise that participation in such activities is voluntary and not mandatory through a 'challenge by choice' procedure. My child and I both understand that they may withdraw from an activity if they feel at risk. This must be done in consultation with the person in charge.
- » I understand that the school does not accept responsibility for loss or damage to personal property (either my child's property or damage to other's property caused by my child) and that it is my responsibility to check my own insurance policy.

**Name:** .....

**Signature:** .....

**Date:** .....

## Tool 7: Firearms log

**Note:** This tool is an *example only* and should be customised to meet the individual needs of your school.

The principal shall maintain a log of all firearms brought on to school grounds, the time they entered school grounds and the time they left, the name and signature of the authorised user and their firearms licence number.

All persons bringing firearms onto (our school) must register below. By registering below you acknowledge the health and safety practices of (our school) and:

- » your firearm is unloaded
- » you are not carrying any ammunition except for good, proper and lawful reasons such as pest control, EOTC activities, a Anzac Commemorative event where blanks/ dummies/ inert ammunition may be used.
- » you hold a current firearms licence and agree to meet all requirements of the Arms Act 1983.

Note: This only applies to firearms on school premises which will be removed from a vehicle. Firearms are not to be left in a vehicle that is unattended as per Regulation 19(2)(c) Arms Regulations 1992..

Date	Name	Arrival time	Departure time	Firearms licence number and expiry date	Firearm serial number	Signed

# Tool 8: Arms Act 1983

## Legal framework for firearms in schools

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The Arms Act 1983 and Arms Regulations 1992 apply to everyone in New Zealand. This includes all schools (and school related activities, both on and off school sites) all school staff, students, visitors, displays of firearms and civil/emergency incidents. Legal restrictions involving various firearms include:

### *Firearms*

It is an offence for anyone to **possess** a firearm unless they are:

- » 16 years of age or older; and
- » the holder of a firearms licence.

There is a defence to prosecution for this offence if:

- » that firearm was in that person's possession for use under the immediate supervision of the holder of a firearms licence; and
- » at all times while that person was in possession of the firearm, they were under the immediate supervision of a firearms licence holder.

[See page 10](#) for more on what 'immediate supervision' means in practice.

It is an offence to **sell** or **supply** a firearm to any person who is not the holder of a firearms licence or dealers licence or a permit to import. There is also a defence to prosecution for this offence where the "immediate supervision" scenario applies.

### *Airguns*

It is an offence for anyone to **possess** an airgun unless they are:

- » 18 years of age or older; or
- » **aged between 16 and 18** years of age and are the holder of a firearms licence.

There is a defence to prosecution for this offence if:

- » that airgun was in that person's possession for use under the immediate supervision of either a person of or over the age of 18 years or the holder of a firearms licence; and
- » at all times while that person was in possession of the airgun, they were under the immediate supervision of either a person of or over the age of 18 years or the holder of a firearms licence.

See page 10 for more on what 'immediate supervision' means in practice.

This defence does not apply to "specially dangerous airguns", which are treated as firearms under the Arms Act 1983.

It is an offence to **sell** or **supply** an airgun to a person who is under the age of 18 years and is not the holder of a firearms licence. There is also a defence to prosecution for this offence where the 'immediate supervision' scenario applies.

### *Pistols, military style semiautomatic firearms and restricted weapons*

There are additional legal requirements for pistols, military style semiautomatic firearms and restricted weapons. For example, in a civilian context:

- » pistols may only be used on the range of an incorporated pistol club range recognised by the Commissioner of Police
- » Other than for Defence or Police Force, restricted weapons (such as automatic firearms) must be maintained in an inoperable condition and can only be lawfully held by endorsed licence collectors, or for theatrical purposes, or in museums.
- » Pistols, military style semi-automatic firearms and restricted weapons may only be possessed by individuals with appropriate specific endorsements. It is a defence to a prosecution for the offence of unlawful possession of a pistol (but not a MSSA or restricted weapon) if the pistol was in the person's



possession for use both on a range of an incorporated pistol club recognised by the Commissioner and under immediate supervision of a licence holder with an endorsement permitting the supervisor to have possession of the pistol; and at all times while the person was in possession of the pistol, they were both on that range and under the immediate supervision of such a person.

## Relevant sections of the Arms Act 1983 and Regulations are set out below

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### Section 20 Restrictions on possession of firearms

- (1) Except as provided in this Act or as otherwise provided in regulations made under this Act, no person shall have a firearm in his possession unless he is of or over the age of 16 years and is the holder of a firearms licence.
- (2) The holding of a firearms licence shall not in itself entitle any person to have a pistol or a military style semi-automatic firearm or a restricted weapon in that person's possession.
- (3) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding \$1,000 or to both who contravenes subsection (1).

### Section 21 Restrictions on possession of airguns

- (1) Except as otherwise provided in this Act or as otherwise provided in regulations made under this Act, no person shall have an airgun in his possession unless—
  - (a) he is of or over the age of 18 years; or
  - (b) he is between 16 years and 18 years of age and is the holder of a firearms licence.
- (2) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding \$1,000 or to both who acts in contravention of subsection (1).
- (3) Nothing in this section applies in relation to the possession of specially dangerous airguns.

### Section 22 Exemptions under the Arms Act 1983

- (2) It is a good defence to a prosecution for an offence against section 20 or section 21 if the defendant proves,—
  - (a) in the case of a prosecution relating to the possession of a firearm (not being a pistol or a restricted weapon) by any person,
    - (I) that the firearm was in the possession of that person for use under the immediate supervision of the holder of a firearms licence; and
    - (II) that at all times while that person was in possession of the firearm, that person was under the immediate supervision of the holder of a firearms licence; or
  - (b) in the case of a prosecution relating to the possession of an airgun (not being a specially dangerous airgun), -
    - (I) that the airgun was in the possession of that person for use under the immediate supervision of either a person of or over the age of 18 years or the holder of a firearms licence; and
    - (II) that at all times while that person was in possession of the airgun, that person was under the immediate supervision of either a person of or over the age of 18 years or the holder of a firearms licence.

### Section 43 Selling or supplying firearm or airgun to unlicensed person

- (1) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding \$1,000 or to both who—
  - (a) sells or supplies a firearm (other than a pistol, military style semi-automatic firearm, or restricted weapon) to any person who is not the holder of a firearms licence or a dealer's licence or a permit issued for the purposes of section 16(1); or
  - (b) sells or supplies an airgun to any natural person who is under the age of 18 years and is not the holder of a firearms licence.

**Section 45 Carrying or possession of firearms, airguns, pistols, restricted weapons, or explosives, except for lawful, proper, and sufficient purpose**

- (1) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 4 years or to a fine not exceeding \$5,000 or to both who, except for some lawful, proper, and sufficient purpose,—
  - (a) carries; or
  - (b) is in possession of— any firearm, airgun, pistol, restricted weapon, or explosive.
- (2) In any prosecution for an offence against subsection (1) in which it is proved that the defendant was carrying or in possession of any firearm, airgun, pistol, restricted weapon, or explosive, as the case may require, the burden of proving the existence of some lawful, proper, and sufficient purpose shall lie on the defendant.

**Section 46 Carrying of imitation firearm, except for lawful, proper, and sufficient purpose**

- (1) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 2 years or to a fine not exceeding \$4,000 or to both who, except for some lawful, proper, and sufficient purpose, carries an imitation firearm.
- (2) In any prosecution for an offence against subsection (1) in which it is proved that the defendant was carrying an imitation firearm, the burden of proving the existence of some lawful, proper, and sufficient purpose shall lie on the defendant.

**Section 54 Use or attempted use of firearm, airgun, pistol, imitation firearm, restricted weapon, ammunition, or explosive to resist or prevent arrest or commit offence**

- (1) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 7 years who makes or attempts to make any use whatsoever of any restricted weapon, imitation firearm, ammunition, or explosive with intent to resist or prevent the lawful arrest or detention of himself or another person.
- (2) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 5 years who, at the time of his committing an offence punishable by imprisonment for a term of 3 years or more, has in his possession any firearm, airgun, pistol, imitation firearm, restricted weapon, ammunition, or explosive.
- (3) It is a good defence to a prosecution for an offence against subsection (2) if the defendant proves that he had the firearm, airgun, pistol, imitation firearm, restricted weapon, ammunition, or explosive in his possession for a lawful purpose.

**Section 66: Occupier of premises or driver of vehicle deemed to be in possession of firearm, airgun, pistol, imitation firearm, restricted weapon, or explosive found therein**

For the purposes of this Act every person in occupation of any land or building or the driver of any vehicle on which any firearm, airgun, pistol, imitation firearm, restricted weapon, or explosive is found shall, though not to the exclusion of the liability of any other person, be deemed to be in possession of that firearm, airgun, pistol, imitation firearm, restricted weapon, or explosive, unless he proves that it was not his property and that it was in the possession of some other person.

**Exemptions (under Regulations) for NZ Police and Defence personnel**

Members of the New Zealand Defence and NZ Police forces have an exemption under section 3(2)(a) of the Arms Act which allows them to have possession of firearms (Outside of the requirements of the Arms Act 1983) when they are in the course of their duties.

## Police entering premises with firearms

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Police may enter premises without a warrant if:

- (a) they have a reasonable ground to suspect that an offence is being committed, or is about to be committed, that would be likely to cause injury to any person, or serious damage to, or serious loss of, any property;
- (a) there is risk to the life or safety of any person that requires an emergency response. (Search and Surveillance Act 14(2).

They may carry firearms when they perceive that a situation involves, or is likely to escalate to involve a risk of death or Grievous bodily harm. This means that during an emergency or an armed offenders squad callout members of the NZ Police and Defence Forces may enter school grounds, often without notice.

## Arms Act Regulations 1992

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### 19 Conditions relating to security precautions

- (1) Every firearms licence shall be subject to the following conditions:
  - (a) the holder shall not put a firearm in such a place that a young child has ready access to it;
  - (b) the holder, where he or she has both a firearm and ammunition for it in his or her possession, either—
    - (I) shall take reasonable steps to ensure that the ammunition is not stored in such a way that a person who obtains access to the firearm also obtains access to the ammunition; or
    - (II) shall ensure that, where the ammunition is stored with the firearm, the firearm is not capable of being discharged;
  - (c) the holder shall take reasonable steps to ensure that any firearm in the holder's possession is secured against theft;
  - (d) the holder shall, where he or she has possession of a firearm that is—
    - (I) a flare pistol; or
    - (II) a humane killer; or
    - (III) a stock marking pistol,—
    - (IV) keep it in a locked container, except where it is under the holder's immediate and personal supervision.
- (2) On and after 1 July 1993 the reasonable steps required by subclause (1)(c) shall include—
  - (a) keeping on the holder's premises—
    - (I) a lockable cabinet, container, or receptacle of stout construction in which firearms may be stored; or
    - (II) a lockable steel and concrete strong-room in which firearms may be stored; or
    - (III) a display cabinet or rack in which firearms may be immobilised and locked so that none of them may be fired; and
  - (b) keeping locked or immobilised and locked in the cabinet, container, receptacle, strongroom, display cabinet, or rack required by paragraph (a) every firearm which is on the holder's premises and which is not under immediate and personal supervision of the holder or some other holder of a firearms licence; and
  - (c) ensuring that no firearm in the holder's possession is left in a vehicle that is unattended.

We **shape** an **education** system that delivers  
**equitable** and **excellent outcomes**

He mea **tārai** e mātou te **mātauranga**  
kia **rangatira** ai, kia **mana taurite** ai ōna **huanga**



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