



MP for Napier

Minister of Police

Minister of Fisheries

Minister of Revenue

Minister for Small Business

19 JUN 2020

MIN OIA 20-085

Jonathan Mitchell
RNZ
Jonathan.Mitchell@rnz.co.nz

Dear Jonathan

Thank you for your email of 5 May 2020 in which you asked me to provide:

all cabinet reports, correspondence and other advice given to the Police Minister in 2019 about the ammunition banned after the mosque shootings.

<http://www.legislation.govt.nz/regulation/public/2019/0137/latest/LMS214867.html>

Please include information about:

- *how much of this ammunition was in the public domain before the ban took effect, the amount that was handed in, and what happened to it next*
- *the value of this ammunition and whether compensation was considered.*

I have considered your request under the Official Information Act 1982.

One paper is attached to this response. The other papers listed below are within scope of your request but have been proactively released and are publicly available at the links given.

Document	Comment
Paper included with this response	
Cabinet paper: <i>Operation Dean – Amendments to the Arms Act 1983</i> (attached)	Much of this paper is out of scope of the request but places the decision on ammunition in the context of the wider policy decisions. A footnote has been redacted under s9(2)(a) of the Act to protect the privacy of natural persons. Some information is withheld under s9(2)(h) of the Act to protect legal professional privilege.
Papers that are publicly available	
Cabinet paper: <i>Arms Act 1983 Reforms – Paper 1</i>	Proactive release: https://www.police.govt.nz/about-us/publication/proactive-release-papers-relating-development-arms-legislation-bill

Regulatory impact Assessment: <i>Implementation of Arms Amnesty: Compensation for individuals and dealers and prohibition of certain types of ammunition</i>	Proactive release: https://www.police.govt.nz/sites/default/files/publications/regulatory-impact-assessment-implementation-arms-amnesty-compensation.pdf
Cabinet paper: <i>Arms (Prohibited Firearms, Parts and Magazines) Amendment Bill</i>	Much of this paper is out of scope of your request but it puts the decision on ammunition in the context of the wider policy decisions. A footnote is withheld under s9(2)(a) and part of paragraph 7 is withheld under s(9)(2)(f)(iv) to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials . https://www.police.govt.nz/sites/default/files/publications/cabinet-paper-arms-prohibited-firearms-parts-magazines-amendment-bill-approval-introduction.pdf
Subordinate Legislation Confirmation Bill (No 4) - <i>New Zealand Police Supp submission 20 November 2019</i>	https://www.parliament.nz/resource/en-NZ/52SCRR_EVI_89827_RR873/bd0dc8dd84c645df4815f9c9fe21db9829f344bc
Subordinate Legislation Confirmation Bill (No 4) - <i>New Zealand Police – submission 13 September 2019</i>	https://www.parliament.nz/en/pb/sc/submissions-and-advice/document/52SCRR_EVI_89827_RR796/new-zealand-police

Regarding your additional questions:

- *How much of this ammunition was in the public domain.* The amount is not known. The Arms Act 1983 does not require import permits for ammunition. A firearms licence is not required to import ammunition. This gap in the regulatory regime for ammunition is proposed to be altered in the Arms Legislation Bill currently awaiting the Committee of the Whole House parliamentary stage.
- *The amount that was handed in and what happened to it next:*
As no compensation was available for ammunition, no system was set up to record the types of ammunition or other munitions handed-in. Members of the public took the opportunity of the amnesty and buyback process associated with the Arms (Prohibited firearms, magazines and parts) Amendment Act to hand in ammunition at the Local Collection Points established by Police throughout New Zealand.

The New Zealand Defence Force retained a running total of ammunition and other items collected from Police's Local Collection Points. As of 11 November 2019, 3,725.15 kilograms of small arms ammunition had been collected. The records do not distinguish between prohibited ammunition, and other ammunition. Other ammunition may have been handed-in because it was no longer usable either because of age or the holder no longer possessed the firearm for which it had been purchased.

People also took the opportunity to hand in a range of other items including components of ammunition, smoke grenades, a mortar bomb, fireworks and the like.

You have the right to ask the Ombudsman to review my decision if you are not satisfied with my response to your request.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Stuart Nash', written in a cursive style.

Hon Stuart Nash
Minister of Police