



UN Programme of Action Reporting Tool

New Zealand

2012

SECTION 1: POINTS OF CONTACT

Sources National Coordination Agency

PoA II.4 1. Has your country established a National Coordination Agency or other body responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in SALW in all its aspects?

Sources National Point of Contact

PoA II.5, 24 2. Does your country have a National Point of Contact designated to act as a liaison on matters relating to the implementation of the UN Programme of Action on Small Arms (PoA)?

2.1. Details:

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ITI 25 2.2 Is the National Point of Contact identified above also responsible for exchanging information and liaising on matters relating to the International Tracing Instrument (ITI)?

ITI 25 2.3 If the answer to Question 2.2 is 'no', does your country have a National Point of Contact for purposes of exchanging information and liaising on all matters relating to the ITI?

GGE Report para 63(ix) 3. Is the National Point of Contact identified above in either Q. 2 or 2.3 also responsible for exchanging information and liaising on matters relating to brokering in SALW?

3.1 If not, does your country have a focal point for purposes of exchanging information and liaising on matters relating to brokering in SALW?

SECTION 2: MANUFACTURE

Sources Laws, regulations and administrative procedures

PoA II.2 4. Are there any SALW manufactured in your country?

4.1. Does your country have laws, regulations and/or administrative procedures to exercise effective control over the manufacture of SALW?

4.1.1 List laws, regulations and/or administrative procedures regulating the manufacture of SALW in your country

New Zealand does not manufacture SALW on a large commercial scale. The New Zealand Police have established

administrative procedures for those who set out to manufacture SALW. A person who manufactures firearms for sale must hold a dealers licence issued by the Police. Dealers are required to maintain records of the firearms they sell or manufacture. The Hazardous Substances and New Organisms (HSNO) Act and Hazardous Substances Regulations 2001 contain provisions controlling the importation, manufacture and management of explosives (which include ammunition and grenades) and for the tracking of them through each stage of their life cycle to the stage of final use. At present, the provisions in the Hazardous Substances (Tracking) Regulations expressly exclude "safety" (small arms) ammunition. The NZDF are exempt from complying with many parts of the HSNO Act under section 76a. NZDF have internal HSNO policies to control classes 1 to 9 substances. Under these exemptions NZDF import and control their own explosive products directly from the country of origin.

4.1.2. Does your country license the manufacture of SALW?

PoA II.3 4.1.3. Is illegal manufacture of SALW considered a criminal offence in your country?

PoA II.7; ITI 8a 4.2. Does your country require that SALW be marked at the time of manufacture?

ITI 8a 4.2.1. What information is included in the marking (check relevant boxes)?

- a) Name of the manufacturer
- b) Country of manufacture
- c) Serial number
- d) Year of manufacture
- e) Weapon type/model
- f) Caliber

g) Other

ITI 10a

4.2.2. What part of the SALW is marked?

There are provisions in New Zealand law (Arms Regulations 1992 (reg7)) that ensures that all firearms manufactured in New Zealand for sale must have identification markings that are recorded. There is no standard way in which firearms are marked in New Zealand. Generally, such weapons are marked with make, model, calibre and serial number. Marks are located in various places, and various parts can be marked differently. New Zealand Police have considered whether further approved standards for manufacturing and marking firearms could be implemented. Pistols, military-style semi-automatic (MSSAs) firearms and restricted weapons (prescribed by government) must be stamped with an identifying mark when transferred from one civilian to another if the firearm in question does not already feature such a mark.

4.2.3 Are there exceptions to the requirement to mark SALW at the time of manufacture?

No

Sources Record-keeping by manufactures

PoA II.9; ITI 11

4.3. Does your country require that manufacturers keep records of their activities?

Yes

ITI 12a

4.3.1. What information must be recorded (check relevant boxes)?

- a) Quantity of SALW manufactured
- b) Type or model of SALW manufactured
- c) Markings applied to manufactured SALW
- d) Transactions (e.g. sales of manufactured and marked SALW)
- e) Other

ITI 12a

4.3.2. How long must manufacturing records be kept? 5 years

Other

Sources Actions taken during the reporting period

PoA II.6

4.4. During the reporting period, was action taken against groups or individuals engaged in illegal manufacturing of SALW (e.g. prosecution)?

--- Select ---

International assistance

PoA III.6

5. Does your country wish to request assistance in developing laws, regulations and/or administrative procedures regarding SALW manufacture?

No

SECTION 3: INTERNATIONAL TRANSFERS

Sources Laws, regulations and administrative procedures

PoA II.2, 12

6. Does your country have laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW?

Yes

PoA II.11

6.1. List laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW.

It is an offence, under the Arms Act 1983 to import firearms or various parts of firearms into New Zealand without a permit issued by the Police. Importers of goods into New Zealand are required to lodge an electronic import entry (a declaration under the Customs and Excise Act 1996) with Customs. The entry covers the particulars of the goods, and where required, details of import permit requirements and the payment of any revenue charges. Alerts on Customs' computer system means that Customs officials also hold shipments of firearms and various parts of firearms until the importer has produced a valid import permit issued by the New Zealand Police under the Arms Act 1983. Under the Customs and Excise Act 1996 and given effect through the Customs Export Prohibition Order 2011 the export of conventional weapons, including SALW listed on the New Zealand Strategic Goods List published by the New Zealand Ministry of Foreign Affairs and Trade, is prohibited unless the consent of the Secretary of Foreign Affairs and Trade is first obtained. All goods exported from New Zealand must be electronically cleared with Customs prior to export, or they will not be loaded on the ship or aircraft. An electronic export entry or a cargo information report (ECI) must be lodged with and cleared by Customs before the goods are loaded for shipment from New Zealand. Export entries are a legal declaration under the Customs and Excise Act 1996. It is an offence under the Act to make an erroneous or false entry or ECI report. Alerts on Customs' computer system means that Customs officials hold shipments of firearms and ammunition until the exporter produces the approval to export issued by the Secretary of Foreign Affairs and Trade

Licensing and authorisation

PoA II.11

6.2. Does a person or an entity who transfers SALW require a licence or other form of authorisation to transfer SALW from/into your country?

Yes

PoA II.3

6.3. Is it a criminal offence to trade SALW without a licence or authorisation, or to do so in a manner that is in contradiction to the terms of a licence or authorisation, in your country?

Yes

PoA II.11

6.4. Name the relevant international commitments that your Government applies or considers when assessing an application for export authorisation.

Wassenaar Arrangement

6.5. What kind of documentation does your country require prior to authorising an export of SALW to another country?

PoA II.12

**a) An end-user certificate (EUC) from the importing country
i) What elements does an end-user certificate in your country contain (check relevant boxes)?**

Yes

- 1) Detailed description (type, quantity, characteristics) of the SALW or technology
- 2) Contract number or order reference and date
- 3) Final destination country
- 4) Description of the end-use of the SALW
- 5) Exporter's details (name, address and business name)
- 6) End-user information (name, position, full address and original

- 7) Signature (name, position, full address and original signature)
- 7) Information on other parties involved in the transaction
- 8) Certification by the relevant government authorities of the authenticity of the end-user
- 9) Date of issue
- 10) Other

b) Other types of end-user documentation

An import permit. An end user certificate would be required for military weapons being exported to military or security/police forces. Other than 6.9.1 f) below all SALW exported from New Zealand require a permit. Applicants for a permit must provide details of the type, calibre, quantity, serial numbers, manufacturer, country of manufacture, and importer's details as part of the application process. Where an EUC is required then 6.6 b) applies.

6.6. When exporting, does your country place any restriction on re-export of SALW?

If so, what are the restrictions placed on re-export?

a) Re-export permitted only when there is prior notification

b) Re-export permitted only when there is prior approval

PoA II.12

6.7. Does your country verify or seek to authenticate EUCs or other types of end-user documentation provided?

6.7.1 Details:

Import permits for Pacific countries are verified with the authorities of that country.

6.8. Does your country have measures in place aimed at preventing the forgery and misuse of EUCs or other types of end-user documentation?

6.9. Does your country permit the export of SALW without a licence or under simplified procedure under certain circumstances?

6.9.1 If so, under what circumstances?

a) Peacekeeping

b) Temporary exports

c) Equipment needed for training exercises

d) Equipment needed for repair

e) Delivery of spare parts

f) Other Up to five weapons that are not military-style semi-automatics or restricted weapons purchased in NZ by visitors returning home; NZ sport shooters attending overseas events or foreign sports shooters transiting NZ to or from competitions. NZDF, Police and Visiting Forces are exempt.

Post-delivery controls

6.10. When exporting, does your country require a Delivery Verification Certificate (DVC) to confirm that SALW have reached their intended end-user or intended importer in the importing State?

6.11. After exporting, does your country verify or seek to authenticate DVCs provided?

6.12. When importing, does your country grant the right to the exporting State to conduct a physical check at the point of delivery?

Sources Marking at import

ITI 8b

6.13. Does your country require that SALW imported into your country be marked at the time of import?

6.13.1. Who is required to mark the SALW?

Pistols, military-style semi-automatic (MSSAs) firearms and restricted weapons (prescribed by government) must be stamped with an identifying mark when transferred from one civilian to another if the firearm in question does not already feature such a mark.

6.13.2. What information is included in the marking on import (check relevant boxes)?

a) Country of import

b) Year of import

c) Other

6.13.3. Are there exceptions to the requirement to mark imported SALW?

6.13.3.1. If so, describe.

Firearms other than those in 6.13.1 above are not required to be marked. All police and military weapons are marked.

6.13.4. If marked SALW imported into your country do not bear a *unique* marking when they arrive, does your country require that they be given such a marking?

Yes

6.13.4.1 Details:

See 6.13.1 and 6.13.3 above.

Sources Record Keeping

PoA II.9; ITI 12

6.14. Does your country require that exporters and importers of SALW keep records of their activities?

Yes

6.14.1. What information must be recorded (check relevant boxes)?

- a) Quantity of SALW traded
- b) Type or model of SALW traded
- c) Markings appearing on transferred SALW
- d) Transactions
 - i) Identity of buyer/seller
 - ii) Country SALW are to be delivered to or purchased from
 - iii) Date of delivery
- e) Other

6.14.2. How long must records of transfers be kept?

Other

5 years

Sources Actions taken during the reporting period

PoA II.6

6.15. During the reporting period, was action taken against groups or individuals engaged in transferring SALW illegally (e.g. prosecution)?

No

International assistance

PoA III.6

7. Does your country wish to request assistance in developing laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW?

No

SECTION 4: BROKERING

Sources Laws, regulations and administrative procedures

PoA II.14

8. Does your country have laws, regulations and/or administrative procedures governing brokering of SALW?

Yes

8.1. List laws and/or administrative procedures regulating SALW brokering in your country.

There are few, if any, arms brokers based in New Zealand and there are no specific controls on brokering although as brokers are considered to offer firearms for sale they are included within the regulations covering firearms dealers. No person is allowed to set up business selling, or manufacturing for sale, firearms, airguns, pistols or restricted weapons (Arms Act 1983 & Arms Regulations 1992) without a licence issued by the Police. Those licences must be endorsed to allow possession of pistols, military-style semi-automatic (MSSA) firearms or restricted weapons if the business concerned deals in those items. Examples of the controls on dealers' activities include: - penalties for illicit dealing activities include: employees and agents of dealers must be firearms licence holders and those licences must also be endorsed if in the course of their duties they are to come into possession of pistols, MSSA firearms or restricted weapons; - dealers must keep records of all firearms coming into their possession and details of transfers to customers; - provision for Police audit of dealers' records; and - ensuring that firearms are securely stored. - three months' imprisonment or a fine of up to NZ\$1,000 or both for selling a firearm to an unlicensed person or dealer; - a fine of up to NZ\$1,000 for supplying ammunition to someone who is not a holder of a firearms or dealers licence; and - three years' imprisonment or a fine of up to NZ\$4,000 for selling or supplying a pistol, MSSA firearm or restricted weapon to a person who doesn't hold a permit to import/procure that weapon.

8.1.1 Are those laws and procedures part of the national arms export control system?

No

8.2. Does your country require registration of SALW brokers?

Yes

8.3. Does your country require a licence, permit or other authorisation for each brokering transaction?

No

8.4. Does your country have measures to validate the authenticity of documentation submitted by the broker?

No

8.5. Is it a criminal offence in your country to engage in a SALW brokering transaction without a licence or authorisation, or to do so in a manner that is in contradiction to the terms of a licence or authorisation?

Yes

8.6. Does your country allow for sharing with other States such information as the disbarment of brokers and revocation of registration?

No

8.7. Does your country regulate activities that are closely associated with the brokering of SALW?

No

8.8 What penalties or sanctions does your country impose for illegal brokering activities?

See 8.1 above.

Sources **Actions taken during the reporting period**

8.9 During the reporting period, was action taken against groups or individuals engaged in illegal brokering (e.g. prosecution)?

International assistance

PoA III.6 9. Does your country wish to request assistance in developing laws, regulations or administrative procedures to regulate SALW brokering?

SECTION 5: STOCKPILE MANAGEMENT

Sources **Laws, regulations and administrative procedures**

PoA II.17 10. Does your country have standards and procedures relating to the management and security of SALW held by the armed forces, police or any other entity authorised to hold SALW?

PoA II.17 10.1. If so, which of the following provisions are included in these standards and procedures (check relevant boxes)?

- a) Appropriate locations for stockpiles
- b) Physical security measures
- c) Control of access to stocks
- d) Inventory management and accounting control
- e) Staff training
- f) Security, accounting and control of SALW held or transported by operational units or authorised personnel
- g) Procedures and sanctions in the event of theft or loss
- h) Other

At the unit level, registers are kept of every item; an individual is assigned responsibility for each weapon, and for the armoury in which it is kept. Keys are controlled and the armouries or containers themselves are constructed and locked in accordance with recognised practice.

Sources **Surplus**

PoA II.18 10.2. Are there systems in place to conduct reviews of SALW stocks held by armed forces, police and other authorised entities to identify surplus or obsolete SALW?

10.3. How often/frequently are these reviews conducted?

As required. No set frequency.

PoA II.18 10.4. When stocks are identified as surplus, what actions does your country take with regard to the surplus (check relevant boxes)?

- a) Officially declare as surplus
- b) Take out of service
- c) Record by type, lot, batch, and serial number
- d) Store separately
- e) Other

10.5. In disposing of the surplus stocks, which of the following methods may be used (check relevant boxes)?

- a) Destruction
- b) Sale to another State
- c) Donation to another State
- d) Transfer to another state agency
- e) Sale to civilians
- f) Sale or transfer to legal entities (e.g. museums, private security companies, etc.)
- g) Other

10.5.1. If (a) Destruction is checked for Q.10.5, which of the following methods are used (check relevant boxes)?

- i) Burning or melting
- ii) Open-pit detonation
- iii) Cutting/shredding
- iv) Bending/crushing
- v) Dumping at sea
- vi) Burial on land
- vii) Other

Sources Actions taken during the reporting period

PoA II.19 10.6. During the reporting period, has your country destroyed surplus stocks?

International assistance

PoA II.29; III.6 11. Does your country wish to request assistance in developing standards and procedures on stockpile management?

PoA III.6; 14 12. Does your country wish to request assistance in developing capacity for the destruction of weapons?

SECTION 6: CONFISCATION, SEIZURE & COLLECTION

Sources Confiscation and seizure

PoA II.23 a 13. During the reporting period, has your country found, seized or confiscated any SALW under its jurisdiction?

PoA II.23a 13.1 How many SALW were found, seized or confiscated?
Not possible to provide figures for weapons seized by the Police, but an amendment to the national recording has been approved that will require records of all weapons coming into and out of Police possession, as well as weapons reported lost. It should be possible to provide figures in the next report.

PoA II.16 13.2. What action was taken with respect to the SALW found, seize or confiscated (check relevant boxes)?

- a) Stored securely pending further action
- b) Marked
- c) Registered or recorded
- d) Destroyed
- e) Other

Sources Collection

14. During the reporting period, did your country collect any SALW?

PoA II.21 14.1. What was the nature of the collection exercise?

- a) Buyback programme for civilian-held SALW
- b) Weapons amnesty for civilian-held SALW
- c) Disarmament, Demobilization & Reintegration (DDR)
- d) Weapons for Development (WfD) programme

14.2. How many SALW were collected?

Information is not available for the reporting period. The New Zealand Police operate a standing weapons amnesty. Members of the public hand in weapons to registered arms dealer, who then notify the Police. The weapon is then checked against involvement in any ongoing police enquiries and is passed over to the Police if that is the case. If the weapon is not required by the Police, then ownership passes to the dealer, who may sell or destroy it.

14.3. What action was taken with respect to the SALW collected (check relevant boxes)?

- a) Stored securely pending further action
- b) Marked
- c) Registered or recorded
- d) Destroyed
- e) Other

PoA II.23a

15. How many of the SALW found, seized, confiscated or collected, as reported in Questions 13.1 and 14.2 were destroyed?

Information is not available for the reporting period.

International assistance

PoA III.6

16. Does your country wish to request assistance in building capacity for confiscation and seizure of the illicit SALW?

No

SECTION 7: MARKING AND RECORD KEEPING

Sources Marking

PoA II.8

17. Does your country enforce measures to prevent the manufacture, stockpiling, transfer and possession of any unmarked or inadequately marked SALW?

Yes

17.1. Details

See 4 and 6.1 Police weapons are never transferred to civilians or private companies in NZ.

ITI 8d

18. Does your country take measures to ensure that all SALW in the possession of government armed and security forces for their own use are duly marked?

Yes

18.1. Describe the markings that are applied to government-held stocks.

All items held by the New Zealand Defence Force (NZDF) are serial numbered, usually by the manufacturer. If not numbered by the manufacturer, they are allocated a NZDF control number, and in some cases may have both. They are held on the NZDF Logistics Management System by individual serial numbers, and their location is recorded in terms of the unit to which they are issued. New Zealand Police maintains detailed records of SALW possessed, their issue and return to storage. SALW may only be issued with appropriate approval, in specific authorised circumstances. New Zealand Police do not routinely carry firearms.

ITI 8c

18.2. When government stocks are transferred to civilians or private companies in your territory, are such stocks marked to indicate that your government transferred the stocks?

No

ITI 8e

19. Does your country encourage manufacturers of SALW to develop measures against the removal or alteration of markings?

No

Record-keeping

PoA II.9

20. Does your country have standards and procedures related to keeping of records for all marked SALW in its territory?

Yes

20.1. What records relating to SALW are kept by the State (e.g. manufacturing, brokering, import and export licences granted, sales to other States, SALW held by State agencies such as the armed forces etc)?

See 8.1 and 10.1.

ITI 12 a,b

20.2. How long does the government keep such records?

Various - from 7 years to permanent file retention.

ITI 13

20.3. In the event that they go out of business, are companies engaged in SALW activities (e.g. manufacturing, importing, exporting etc) required to submit all records held by them to the government?

No

International assistance

PoA III.6, ITI 27

21. Does your country wish to request assistance in building capacity for record-keeping?

No

SECTION 8: INTERNATIONAL TRACING

Sources Laws, regulations and administrative procedures

PoA II.10; ITI 14, 24 22. Does your country have procedures in place to trace SALW? Yes

Sources Tracing requests

22.1 Has your country ever issued an international tracing request regarding SALW? Yes

ITI 25; 31a 22.2. Which government agency is responsible for making a tracing request to another country?
New Zealand Police

ITI 17 22.3. What information does the designated agency include in a tracing request? (check relevant boxes)

- a) Circumstances under which the SALW was found
- b) Reasons why the SALW is considered to be illegal or illicit
- c) The intended use of the information being sought
- d) Any markings on the SALW
- e) Type/calibre of SALW
- f) Other

ITI 15 22.4. When receiving information related to SALW as a result of your country's tracing request, does your country have procedures in place to ensure that all restrictions placed on its use are respected, and the confidentiality of such information is guaranteed? Yes

Sources Responses for tracing requests

22.5. Which government agency is responsible for responding to a tracing request from another country?
New Zealand Police

22.6. During the reporting period, how many tracing requests did your country receive?
Less than 10

ITI 22 22.7. During the reporting period, did your country delay, restrict or refuse tracing requests?
 Delayed
 Restricted
 Refused

Sources Cooperation with INTERPOL

PoA II.37; ITI 33 23. During the reporting period, has your country cooperated on the issue of tracing SALW with the International Criminal Police Organization (INTERPOL)? No

International assistance

PoA II.36; III.6; ITI 27 24. Does your country wish to request assistance in developing procedures to trace SALW? No

PoA III.10; ITI 28 25. Has your country considered providing assistance to examine technologies to improve the tracing and detection of illicit SALW? No

SECTION 9: INTERNATIONAL COOPERATION & ASSISTANCE

Sources Assistance requested / received / provided

PoA III.3, 6

26. During the reporting period, in addition to the assistance requested/received mentioned in the Sections 2-8 above, has your country requested / received / provided assistance to implement the PoA and ITI?

No 

Any further comments on PoA and ITI, including implementation challenges and opportunities?

[Additional information may be uploaded/attached, if necessary:](#)