



UN Programme of Action

National Reporting Tool

New Zealand

2016

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:
- a) Name : Disarmament Officer
- b) Organization or agency : Ministry of Foreign Affairs and Trade, International Security and Disarmament Division
- c) Address : 195 Lambton Quay, Wellington 5045, NEW ZEALAND
- d) Telephone number(s) : +64 4 439 8000
- f) Email : ISED@mfat.govt.nz Attn: Disarmament Officer
- 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?

SECTION 2: MANUFACTURE

Sources Laws, regulations and administrative procedures

- PoA II.2 3. Are there any SALW manufactured in your country?
- 3.1. Does your country have laws, regulations and/or administrative procedures to exercise effective control over the manufacture of SALW?
- 3.1.1 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. New Zealand Police has established administrative procedures for those setting out to manufacture SALW. A person who manufactures firearms for sale must hold a dealer's 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 (including ammunition and grenades) and for the tracking of these through each stage of their life cycle through to final use. The provisions in the Hazardous Substances (Tracking) Regulations expressly exclude small arms 'safety' ammunition. The New Zealand Defence Force (NZDF) is exempt from compliance with many parts of the HSNO Act under section 76 a. Under these exemptions, the NZDF imports and controls its own explosive products directly from the country of origin. NZDF has internal HSNO policies to control substances in classes 1-9.
- 3.1.2. Does your country license the manufacture of SALW?
- 3.1.3. Is illegal manufacture of SALW considered a criminal offence in your country?

Sources Marking of manufacture

- PoA II.7; ITI 8a 3.2. Does your country require that SALW be marked at the time of manufacture?
- ITI 8a 3.2.1. 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 3.2.2. What part of the SALW is marked?
- There are provisions under New Zealand law (regulation 7, Arms Regulations 1992) to ensure that all firearms manufactured in New Zealand for sale must have recorded identification markings. There is no standard way in which firearms are marked in New Zealand. Generally, however, the markings include make, model, calibre and serial number. Marks may be located in various places, and various parts may 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 (MSSA) firearms and restricted weapons as prescribed by the government in the Arms Act

(<http://www.legislation.govt.nz/act/public/1983/0044/latest/DLM72622.html>) 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.

3.2.3 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	3.3. Does your country require that manufacturers keep records of their activities?	Yes <input type="checkbox"/>
ITI 12a	3.3.1. What information must be recorded (check relevant boxes)?	
	a) Quantity of SALW manufactured	<input checked="" type="checkbox"/>
	b) Type or model of SALW manufactured	<input checked="" type="checkbox"/>
	c) Markings applied to manufactured SALW	<input checked="" type="checkbox"/>
	d) Transactions (e.g. sales of manufactured and marked SALW)	<input checked="" type="checkbox"/>
	e) Other	<input type="checkbox"/>
ITI 12a	3.3.2. How long must manufacturing records be kept? Five years	Other <input type="checkbox"/>

Sources Actions taken during the reporting period

PoA II.6	3.4. During the reporting period, was action taken against groups or individuals engaged in illegal manufacturing of SALW (e.g. prosecution)?	No <input type="checkbox"/>
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Sources International assistance

PoA III.6	4. Does your country wish to request assistance in developing laws, regulations and/or administrative procedures regarding SALW manufacture?	No <input type="checkbox"/>
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SECTION 3: INTERNATIONAL TRANSFERS

Sources Laws, regulations and administrative procedures

PoA II.2, 12	5. Does your country have laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW?	Yes <input type="checkbox"/>
PoA II.11	5.1. List laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW.	
	Under the Arms Act 1983, it is an offence to import firearms or various parts of firearms into New Zealand without a permit issued by New Zealand Police. Under the Customs and Excise Act 1996, importers of goods into New Zealand are required to lodge an electronic import entry with the New Zealand Customs Service. The entry covers particulars of the goods and, where required, details of import permit requirements and the payment of any revenue charges. Alerts on the Customs Service's computer system ensure that Customs officials hold shipments of firearms and specific firearms parts until the importer has provided a valid import permit issued by the New Zealand Police in accordance with the Arms Act 1983. Without the consent of the Secretary of Foreign Affairs, the export of conventional weapons, including SALW listed on the New Zealand Strategic Goods List (https://www.mfat.govt.nz/en/trade/trading-weapons-and-controlled-chemicals/which-goods-are-controlled/), is prohibited under the Customs and Excise Act 1996 and Customs Export Prohibition Order 2011. An electronic export entry or cargo information report (ECI) must be loaded and cleared with Customs prior to export, or the goods will not be loaded onto the ship or aircraft. An export entry is 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 can hold shipments of firearms and ammunition until the exporter produces an approval to export issued by the Secretary of Foreign Affairs and Trade.	

Sources Licensing and authorisation

PoA II.11	5.2. 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 <input type="checkbox"/>
PoA II.3	5.3. 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 <input type="checkbox"/>
PoA II.11	5.4. 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	Yes <input type="checkbox"/>
	i) What elements does an end-user certificate in your country contain (check relevant boxes)?	
	1) Detailed description (type, quantity, characteristics) of the SALW or technology	<input checked="" type="checkbox"/>
	2) Contract number or order reference and date	<input checked="" type="checkbox"/>
	3) Final destination country	<input checked="" type="checkbox"/>
	4) Description of the end-use of the SALW	<input checked="" type="checkbox"/>
	5) Exporter's details (name, address and business name)	<input checked="" type="checkbox"/>
	6) End-user information (name, position, full address and original signature)	<input checked="" type="checkbox"/>
	7) Information on other parties involved in the transaction	<input type="checkbox"/>
	8) Certification by the relevant government authorities of the authenticity of the end-user	<input type="checkbox"/>
	9) Date of issue	<input checked="" type="checkbox"/>
	10) Other	<input type="checkbox"/>
	b) Other types of end-user documentation	
	Import permits. An end-user certificate would be required for military weapons being exported to military or security/police forces. With specific exceptions (listed 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 End-Used Certificate is required, then re-	

export is only permitted when there is prior approval. Simplified documentation may be permitted for peacekeeping, temporary exports, equipment required for training exercises and some sports shooters: 1/ visitors to New Zealand returning home with up to five weapons purchased in New Zealand that are not military-style semi-automatics or restricted weapons, 2/ New Zealand shooters attending overseas events or 3/ foreign sports shooters transiting to or from New Zealand. NZDF, New Zealand Police and visiting defence forces are exempt.

PoA II.12

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

Yes ▾

5.5.1 Details:

Import permits for any country in the Pacific are verified with that country's authorities.

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

No ▾

Sources Post-delivery controls

5.7. 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?

No ▾

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

No ▾

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

No ▾

Sources Marking at import

ITI 8b

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

Yes ▾

5.10.1. Who is required to mark the SALW?

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

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

- a) Country of import
 b) Year of import
 c) Other

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

Yes ▾

5.10.3.1. If so, describe.

Firearms other than those in 5.10.1 above are not required to be marked. All police and military weapons are marked.

5.10.4. 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 ▾

5.10.4.1 Details:

See 5.10.1 and 5.10.3.1 above.

Sources Record-keeping

PoA II.9; ITI 12

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

Yes ▾

5.11.1. 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

5.11.2. How long must records of transfers be kept?

Other ▾

5 years

Sources Actions taken during the reporting period

PoA II.6

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

Yes ▾

5.12.1 Details.

One prosecution was undertaken during the reporting period.

Sources International assistance

PoA III.6

6. 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 7. Does your country have laws, regulations and/or administrative procedures governing brokering of SALW?
- 7.1. List laws and/or administrative procedures regulating SALW brokering in your country.
There are few arms brokers based in New Zealand. They register voluntarily with the Export Controls section of the Ministry of Foreign Affairs and Trade. Brokering legislation is expected to be introduced to Parliament in 2016, including laws with extra-territorial effect. In addition, brokers are considered to offer firearms for sale, and are therefore included within the regulations covering firearms dealers. Under the Arms Act (1983) and Arms Regulations (1992), a license issued by Police is required by any person wishing to set up a business selling, manufacturing for sale, firearms, airguns, pistols or restricted weapons. Each employee's licence must be endorsed to allow possession of pistols, MSSA firearms or restricted weapons if the business deals in these items. Examples of the controls on dealers' activities include: - employees and agents of dealers must hold firearms licences, which must 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; - there is provision for NZ Police to audit dealers' records; and - firearms must be securely stored. Penalties for illicit dealing activities include: - three months' imprisonment or a fine of up to NZ\$1000 or both, for selling a firearm to an unlicensed person or dealer; - a fine of up to NZ\$1000 for supplying ammunition to someone who does not hold a firearms or dealer's license; and, - three years' imprisonment or a fine of up to NZ\$4000 for selling or supplying a pistol, MSSA firearm or restricted weapon to a person who does not hold a permit to import or procure that weapon.
- 8.1.1 Are those laws and procedures part of the national arms export control system?
- 7.2. Does your country require registration of SALW brokers?
- 7.3. Does your country require a licence, permit or other authorisation for each brokering transaction?
- 8.4. Does your country have measures to validate the authenticity of documentation submitted by the broker?
- 7.4. Does your country regulate activities that are closely associated with the brokering of SALW?

Sources Actions taken during the reporting period

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

Sources International assistance

- PoA III.6 8. 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 9. 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 9.1. 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 maintained of every item and an individual is assigned responsibility for each weapon as

well as 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 9.2. 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
- 9.3. 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

Sources Actions taken during the reporting period

- PoA II.19 9.4. During the reporting period, has your country destroyed surplus stocks?
- PoA II.20 9.4.1. How many SALW were destroyed?
3,500 Steyr AUG NATO Assault Rifles were destroyed by the New Zealand Defence Force in 2015.
- 9.4.2. Any further comments regarding destruction?

Sources International assistance

- PoA II.29; III.6 10. Does your country wish to request assistance in developing standards and procedures on stockpile management?
- PoA III.6; 14 11. Does your country wish to request assistance in developing capacity for the destruction of weapons?

SECTION 6: COLLECTION

Sources Collection

12. During the reporting period, did your country collect any SALW?
- PoA II.21 12.1. How many SALW were collected?
Numbers of surrendered firearms are not collated nationally. New Zealand Police operates a standing weapons amnesty. Members of the public may hand in weapons to any registered arms dealer, who then notifies the Police. The firearm is checked against involvement in any ongoing Police enquiries and is passed to Police if that is the case. If the weapon is not required by the Police, ownership then passes to the dealer, who may sell or destroy it.
- 12.2. 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 Information is not available for the reporting period.

Sources International assistance

PoA III.6 13 Does your country wish to request assistance in building capacity for confiscation and seizure of the illicit SALW?

SECTION 7: MARKING AND RECORD KEEPING

Sources Marking

ITI 8d 14. 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?

14.1. 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 the manufacturer has not marked the item, it is allocated an NZDF control number, and may, in some cases, have both a manufacturer's and NZDF identification number. The individual serial numbers of SALW are held on the NZDF Logistics Management system along with the location of the unit to which they have been issued. New Zealand Police maintains detailed records of SALW in its possession, as well as where they are stored and who they have been issued to. SALW may only be issued with appropriate approval, in specific authorised circumstances. New Zealand Police officers do not routinely carry firearms. Ownership of police weapons is never transferred to civilians or private companies.

ITI 8c 14.2. 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?

ITI 8e 15. Does your country encourage manufacturers of SALW to develop measures against the removal or alteration of markings?

Record-keeping

PoA II.9 16. Does your country have standards and procedures related to keeping of records for all marked SALW in its territory?

16.1. 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)?

Please see responses 7.1 and 9.1.

ITI 12 a,b 16.2. How long does the government keep such records?

ITI 13 163. 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?

Sources International assistance

PoA III.6, ITI 27 17. Does your country wish to request assistance in building capacity for record-keeping?

SECTION 8: INTERNATIONAL TRACING

Sources Laws, regulations and administrative procedures

PoA II.10; ITI 14, 24 18. Does your country have procedures in place to trace SALW?

Sources Tracing requests

ITI 25; 31a 18.1. Which government agency is responsible for making a tracing request to another country?

ITI 17 18.2. 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

Sources Cooperation with INTERPOL

PoA II.37; ITI 33 19. During the reporting period, has your country cooperated on the issue of tracing SALW with the International Criminal Police Organization (INTERPOL) ?

Sources International assistance

PoA II.36; III.6; ITI 27 2420. Does your country wish to request assistance in developing procedures to trace SALW?

&n

PoA III.10; ITI 28 2521. Has your country considered providing assistance to examine technologies to improve the tracing and detection of illicit SALW?

&n

SECTION 9: INTERNATIONAL COOPERATION & ASSISTANCE

Sources Assistance requested / received / provided

PoA III.3, 6 2622. 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?

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

Additional information may be uploaded/attached, if necessary:

SECTION 10: INFORMATION TO BE SUBMITTED

Information on national marking practice

2823. Pursuant to paragraph 31 of the International Tracing Instrument, States will provide the Secretary-General with the following information, updating it when necessary:

- a) National marking practices related to marking used to indicate country of manufacture and/or country of import as applicable.

Additional information such as images and illustrations may be uploaded/attached, if necessary:

Note: Relevant information might have been provided in questions 4.2.1, 4.2.2 and 18.1 in this report.