

0

215026

Disposal of illegally held or unwanted firearms

NA MADE IN ITALY

0



Te Tari Pūreke – Firearms Safety Authority, a business unit of New Zealand Police

Table of Contents



02	Disposal of illegally held or unwanted firearms
03	Handling a firearm
03	Non licence holder in possession of a firearm, other arms item, or ammunition
03	Firearms licence holder who does not want to possess a firearm, other arms item, or ammunition
03	Transferring a firearm or other arms item, or ammunition to a dealer holding a current dealer's licence
04	Obligations and protections for licensed firearms dealers
04	Voluntary delivery or surrender to Police
05	Compensation from Police
05	Antique firearms
06	Disposal or transfer scenarios
09	Frequently asked questions
10	Appendix
10	Extracts from the Arms Act 1983

- 11 Extracts from the Arms Order 1984

Disposal of illegally held or unwanted firearms



This document informs firearms licence holders, dealer's licence holders, and the public (i.e., someone who does not hold a current firearms licence) on how to properly dispose of unwanted or illegally held firearms, other arms items, or ammunition that they do not wish to keep, or that they cannot legally possess because they do not have a valid firearms licence.

All individuals are required to have a current New Zealand firearms licence, to legally possess a firearm, other arms item (excluding an airgun for individuals aged 18 years or older), and ammunition in New Zealand.

Arms items include firearms, magazines, parts, specially dangerous airguns, pistols, restricted weapons, and pistol carbine conversion kits.

Individuals who want to possess a prohibited firearm, prohibited magazine, pistol, restricted weapon, or pistol carbine conversion kit, for particular reasons such as target shooting, pest control, collecting, or theatre productions, must also have an endorsement¹ on their licence, as well as a permit² for each specific item.

Should an individual have a firearm, other arms item, or ammunition that they are not legally entitled to possess or do not wish to keep, they have the option to dispose of the item through one of the following channels:

- **1.** a current New Zealand firearms licence holder³, or
- 2. a current dealer's licence⁴ holder, or
- 3. New Zealand Police.



- ¹ Endorsement: specific permissions added to a firearms licence that allow the holder to possess firearms for purposes beyond those covered by a standard licence.
- ² Permit to possess: a document granting specific approval to acquire or possess a particular firearm or arms item.
- $^{\scriptscriptstyle 3}~$ An individual who has been issued a firearms licence under section 24 of the Arms Act 1983
- $^{\scriptscriptstyle 4}$ $\,$ licensed dealer means a holder of a dealer's licence issued under the Arms Act 1983 $\,$

Handling a firearm

When handling a firearm, it is important to always treat it as loaded and follow safe handling practices.

If you are unfamiliar with firearms and uncertain about ensuring their unloaded and secure state for transport, we strongly advise seeking guidance from a firearms licence holder, a licensed dealer, Police, or Te Tari Pūreke.

You can reach Te Tari Pūreke on 0800 844 431 (or 04 499 2870 if outside New Zealand).

Non licence holder in possession of a firearm, other arms item, or ammunition

If an individual does not have a current firearms licence, it is illegal for them to be in possession of a firearm, other arms item, or ammunition⁵. In such cases they are required to:

- 1. Arrange a transfer to a person who holds a current firearms licence (and, in either case if required, the appropriate endorsement and permit to possess the item) to uplift the item, or
- 2. Arrange with a current dealer holding a current dealer's licence (and, in either case if required, the appropriate endorsement and permit to possess the item), to uplift and secure the transfer of the item, or
- **3.** Contact NZ Police on 105 to outline the situation. NZ Police can refer you to the appropriate regional firearms office to arrange a secure transfer of the item, or advise if any other action is needed.

If an individual inherits a firearm, other arms item, or ammunition and they wish to keep it, they may do so after obtaining a firearms licence and, if necessary, the relevant endorsement and permit to possess the specific item if that item requires one.

Until they have acquired a firearms licence, these items must be kept by a firearms licence holder or a dealer licence holder (with the correct endorsement and permit if applicable) who has secure storage suitable for the class of arms items.

If an item is a prohibited firearm, prohibited magazine, pistol, restricted weapon, or pistol carbine conversion kit, the licence holder or dealer storing them must possess the appropriate endorsement to possess each of those items and must apply to Te Tari Pūreke for a permit to possess each item.

Firearms licence holder who does not want to possess a firearm, other arms item, or ammunition

If an individual holds a firearms licence and possesses a firearm, other arms items, or ammunition they no longer wish to keep, they have the option to:

- transfer (sell or supply) the item to another individual who has a current firearms licence (and, in either case if required, the appropriate endorsement and permit to possess the item), or
- 2. Transfer (sell or supply) to a dealer holding a current dealer's licence (and, in either case if required, the appropriate endorsement and permit to possess the item), or
- 3. Deliver it to Police by <u>contacting your regional</u> <u>firearms office</u> to arrange a secure transfer. Refer to the section *Voluntary delivery to Police* for instructions.

Note: any firearms licence holder cannot legally possess a pistol, prohibited firearm, restricted weapon, pistol carbine conversion kit, prohibited magazine, or prohibited item unless they hold a specific endorsement on their firearms licence and a permit to possess the item.

Transferring a firearm or other arms item, or ammunition to a dealer holding a current dealer's licence

If an individual needs to transfer a firearm, other arms item, or ammunition to a licensed dealer, contact the dealer beforehand to confirm their willingness to accept the item and to arrange an appointment for the transfer. The dealer will explain the necessary steps and give you specific instructions.

After receiving the item, if it's not a pistol, prohibited firearm, prohibited magazine, pistol carbine conversion kit, or restricted weapon, the dealer might sell it, use it for parts, or dispose of it based on its condition.

If a licensed dealer obtains possession of a pistol, prohibited firearm, prohibited magazine, pistol carbine conversion kit or restricted weapon, the dealer is mandated to surrender the item to the nearest Police station within five working days of receipt. This process is required regardless of whether the dealer has or has not been granted a permit to possess/ endorsement for such items.

⁵ Unless it is an airgun that is not classified as a specially dangerous airgun, and the individual in possession of it is of the age of 18 years or older.

Note that the permits to possess these specific items are exclusively issued by Te Tari Pūreke. Should a dealer receive an item without having the required permit, or even if they possess a permit but the item falls under the categorised list in Section 59A of the Arms Act, the dealer is obligated to surrender the item to Police within five working days of receipt. Failing to surrender any endorsed item within this period constitutes an offence of unlawful possession under the law. This requirement is absolute and allows for no exceptions.

Once received, Police then decide how the item is dealt with or otherwise disposed of.

Note: Firearms dealers are not required to accept arms items. If an individual cannot find a dealer or a licensed firearm holder to accept the item, they should contact their local Police station to arrange collection.

If the item is recorded as stolen, it will be returned to the original owner. Otherwise, it will be destroyed.

Some museums are permitted to keep firearms as part of their collections. If you think your arms item could be of interest to a museum, give them a call.

Obligations and protections for licensed firearms dealers

Acceptance and handling of surrendered items:

A licensed firearms dealer can accept surrendered arms items that are not pistols, prohibited firearms, prohibited magazines, pistol carbine conversion kits, restricted weapons, or any ammunition, keeping them for sale or parts.

The dealer must document the details of the person surrendering the item. If no details are provided, the dealer has to present the item to the Police within five working days.

Should the individual choose not to provide their details, the dealer must deliver the item to Police within five working days of receiving it.⁶

Handling arms items that require an endorsement and permit to possess:

A dealer or their employee must not posessess a prohibited firearm, prohibited magazine, pistol, restricted weapon, pistol carbine conversion kit or parts for these arms items for sale without the required endorsement and permit to possess.⁷

In cases where a dealer (or their employee) comes into possession of such arms items without already having the appropriate endorsements and permits, the dealer is required to surrender these items to the nearest Police station for inspection within five working days of receiving the item.

This surrender is a prerequisite for the application and issuance of any relevant permits by Te Tari Pūreke. Please note that a permit cannot be granted prior to the surrender of the items to the Police.

Voluntary delivery or surrender to Police

If a licensed individual wishes to dispose of a firearm, other arms item, or ammunition, they can do so by getting in touch with their regional firearms office and arranging a secure handover to Police. However, if they are not a licensed individual, they should contact NZ Police on 105 for further instructions. The Police will verify that firearms are neither stolen nor involved in any criminal activity. In almost all instances, items delivered to the Police will be destroyed.

Before transporting any arms items to the station, it is important that the individual inform the Police of their intentions. The process includes:

- Informing the Te Tari Pūreke Registry Team of your intention to surrender the firearm for destruction.
- Contact your regional firearms office to arrange an appointment for a secure handover to Police.
- Safely transporting and handing over the firearm at a designated police station, following all required transportation and handling protocols.
- Confirming the surrender with Te Tari Pūreke Registry Team, providing the firearms details and the surrender date.
- ⁶ Section 59A(2) of the Arms Act 1983 states: A licensed dealer does not contravene section 12 if the licensed dealer does not record the particulars of any of the following items that is received by that dealer and, within 5 working days, surrenders the item to the nearest Police station for inspection and inquiries: (a) a firearm: (b) an airgun: (c) a pistol: (d) a pistol carbine conversion kit: (e) a prohibited item: (f) a restricted weapon
- ⁷ Section 10 of the Arms Act states: (1) A licensed dealer may not take an arms item that is a prohibited firearm, prohibited magazine, pistol, restricted weapon, or pistol carbine conversion kit into their possession for the purpose of carrying on a dealer activity unless the licensed dealer— (a) is the holder of a dealer's licence that— (i) specifies that the dealer may carry on that activity in respect of a prohibited firearm, prohibited magazine, pistol, restricted weapon, or pistol carbine conversion kit; and (ii) bears an appropriate endorsement made under section 30 or 30B; and (b) either— (i) obtains the arms item under— (A) a permit to import issued under section 18 or 18AA; or (B) a permit to possess issued under section 35, 35A, or 35AAA; or (ii) manufactures it with the written approval of the Commissioner under section 6B(2).

<u>Contacting the regional firearms office</u> beforehand ensures a safe and proper transfer. Please note that any firearms, other arms items, or ammunition surrendered or delivered to Police will be destroyed, unless it has been reported stolen, then it will be returned to the original owner.

The firearm must be unloaded, with the bolt removed (if possible), the magazine removed if it is detachable, a trigger or cable lock applied and/or in a locked case or bag.

Ammunition must be transported separately from the firearm. Our <u>secure storage and transportation guide</u> for firearms and ammunition outlines how to transport firearms and ammunition safely. If possible, use a chamber safety flag to indicate that the firearm is not loaded.

It is important to note that under section 59B of the Arms Act, the Police retain discretion regarding the prosecution of unlicensed individuals who deliver firearms or other arms items⁸. Additionally, individuals may be asked to provide details about how they acquired the items and specifics about the item.

For further assistance, call the non-emergency number 105 or Te Tari Pūreke at 0800 844 431.

Compensation from Police

Police will not pay for any prohibited items delivered to Police.⁹ Where a firearm is presented for unconditional surrender by a licence holder/endorsement holder and the firearm has monetary value, the individual surrendering the firearm should be advised that they are entitled to sell the firearm to a licensed firearms dealer or a person who holds a firearms licence/ endorsement.

Antique firearms

An antique firearm is any firearm which is held in the possession of any person, solely as an antique (but not as a copy or replica of an antique) and which is not designed for and is not capable of firing rimfire or centrefire cartridge ammunition and is not manufactured after 1899. (Section 2, Arms Act 1983).

Individuals who possess only antique firearms, as defined in section 2 of the Arms Act 1983, are exempt from the requirement to register or obtain a firearms licence for those antique firearms. This exemption does not apply to other types of firearms or arms items that are not antiques, which are subject to licensing requirements and must still be registered.

Should the firearm meet the above conditions and you would like to keep it you can do so, however if you would like to dispose of it you can use the three channels of disposal as outlined on page 2.

Note: you do not need a firearms licence to possess an antique firearm. An antique firearm is normally only suitable as a collector's item, an heirloom, or kept because of its special significance.

⁸ Section 59B of the arms Act 1983, Voluntary delivery to Police of firearms, etc (1) If any arms item or ammunition is delivered to the Police by a person who is not authorised to be in possession of the item or ammunition, it is affirmed that the Police have the discretion not to prosecute in any case where— (a) the offence is considered to be one of possession only; and (b) there is no public interest in proceeding with the prosecution

⁹ The Arms Act 1983 schedule 1, clause 6, indicates that nothing in the Arms Act or the amendment Act otherwise confers any right to compensations or is to be relied on in any proceedings as a basis for claim to compensation, except and to the extent authorised by regulations made under clause 7.

Scenario A: Licensed individual looking to dispose of a registered firearm

If you're a licensed firearms holder looking to dispose of or transfer a registered firearm, the individual in possession of the firearm should initiate the transfer process to the new licence holder or licensed dealer.

They will need to:

- 1. Verify legal possession: before initiating a transfer, use the <u>online firearms licence checker</u> to verify that the recipient possesses a valid firearms licence:
 - Additionally, you'll need to check they hold the necessary endorsement and permit for the specific firearm being transferred.
- 2. Contact Te Tari Pūreke Registry Team: the current possessor must contact the Registry team on 0800 844 431 to notify them of the pending change in possession, providing firearm details and recipient's licence information, either at the time of the transfer or immediately thereafter.
- **3. Confirmation by recipient:** the individual receiving the firearm must also call the Registry team to confirm the update in possession details.

- 4. Update firearms records: all parties involved must register all other arms items in their possession within 30 days if this is their first activating event.
- 5. Complete physical transfer to receiving licence holder or licensed dealer:
 - Our Secure storage and transportation guide for firearms and ammunition outlines how to transport firearms and ammunition safely.
- 6. Alternative, voluntary disposal to police: please see the Voluntary surrender and delivery to Police section in this document for those looking to relinquish possession of a firearm to the Police for destruction.

Scenario B: Licensed individual with unregistered firearm

The procedure is similar to Scenario A, with the additional initial step of registering the firearm. The current individual in possession of the firearm is obligated to register the firearm upon acquisition or discovery. Thereafter, they should initiate the transfer process to the new licence holder or licensed dealer.

The current process includes:

- 1. Immediate registration required: if you come into possession of an unregistered firearm, whether through acquisition or discovery, your first obligation is to register this firearm. This step ensures that the firearm is legally recorded and can be appropriately managed.
- 2. Verifying legal possession for transfer:
 - Before proceeding with any transfer, ensure the intended recipient has a valid firearms licence, using the <u>online firearms licence</u> checker for verification.
 - Additionally, you'll need to check they hold the necessary endorsement and permit for the specific firearm being transferred.
- 3. Registry notification:
 - Inform the Registry team by calling 0800 844 431 about your intention to transfer possession of the unregistered firearm. This notification

should include detailed information about the firearm and the licence details of the recipient.

- The recipient should also contact the Registry team to confirm the transfer of possession.
- **4. Updating firearm records:** All parties involved must register all other arms items in their possession within 30 days if this is their first activating event.
- 5. Complete physical transfer to receiving licence holder or licensed dealer:
 - Our secure storage and transportation guide for firearms and ammunition outlines how to transport firearms and ammunition safely.
- 6. Alternative, voluntary disposal to police: please see the Voluntary surrender and delivery to Police section in this document for those looking to relinquish possession of a firearm to the Police for destruction.

Scenario C: Unlicensed individual with registered firearm

You cannot handle or possess a firearm without a valid licence. If you find yourself in possession of a registered firearm but do not hold a firearms licence, it is important to minimise your interaction with the firearm and find another licence holder, or firearms dealer to store it securely in a manner that prevents access by unauthorised persons, including children, to maintain safety. Please also see *inherited firearms* or *deceased owner's firearms* questions on the *frequently asked questions* page if this is applicable to you.

Immediate actions:

- 1. Secure the firearm: ensure the firearm is stored in a secure manner that prevents unauthorised access especially by children or those who are not licensed to possess or handle firearms. Have a firearms licence holder or licensed dealer (with the correct endorsement and permit if applicable) uplift and secure the firearm. Do not attempt to use, alter, store, or transport the firearm.
- 2. Contact NZ Police on 105: inform them that you have come into possession of a registered firearm without holding a licence. They will provide you with detailed instructions on how to proceed legally.
- 3. Arrange for transfer or storage:
 - Seek a licensed firearm holder or a licensed dealer who can legally take possession of the firearm. Ensure the individual can securely store the firearm until the transfer is legally finalised.
 - Use the <u>online firearms licence checker</u> to verify the legality of the recipient's licence before proceeding with any transfer.

4. Legal transfer process:

- Follow the guidance provided by the Firearms Registry Team to initiate the transfer of the firearm to a licensed individual or dealer.
- Licensed dealers are equipped to assist in the legal transfer, sale, or disposal of firearms and can ensure the process adheres to all legal requirements.
- Document the transfer process as advised by the Firearms Registry Team or as arranged with the recipient.
- **5. Confirmation of transfer:** once the transfer is arranged and executed, confirm with the Firearms Registry Team that the transfer has been completed successfully.

6. Alternative option - surrender to Police

If transferring the firearm to a licensed individual or dealer is not feasible, you have the option to surrender the firearm to the Police for destruction. Please see the *Voluntary surrender and delivery to Police* section in this document.

Scenario D: Unlicensed individuals with unregistered firearm

You cannot handle or possess a firearm without a valid licence. If you find yourself in possession of a firearm but do not hold a firearms licence, it is important to minimise your interaction with the firearm and find another licence holder, or firearms dealer to store it securely in a manner that prevents access by unauthorised persons, including children, to maintain safety. Please also see *inherited firearms* or *deceased owner's firearms* questions on the *frequently asked questions* page if this is applicable to you.

Immediate actions:

1. Secure the firearm: ensure the firearm is stored in a secure manner that prevents unauthorised access especially by children or those who are not licensed to possess or handle firearms. Have a firearms licence holder or licensed dealer (with the correct endorsement and permit if applicable) uplift and secure the firearm. Do not attempt to use, alter, store, or transport the firearm.

2. Arrange for transfer or storage:

- Seek a licensed firearm holder or a licensed dealer who can legally take possession of the firearm. Ensure the individual can securely store the firearm until the transfer is legally finalised.
- Even if your intention is to dispose of the firearm, it must be stored securely until such actions can be legally undertaken.

3. Surrender to Police or a licensed dealer:

Transfer the firearms to a licensed dealer or surrender the firearm to Police for destruction. Please see the *Voluntary surrender and delivery to Police* section in this document.

If you are unsure about firearms and other arms items in your possession

If you have inherited or found something that appears to be a firearm and are unsure what it might be or what classification it is, please contact Te Tari Pūreke or Police in the first instance. They can help identify the arms item and what you might need to do with it.

Contact us:

- Phone Te Tari Pūreke: 0800 844 431 (04 499 2870), or
- Phone the non-emergency Police number: **105**.

Frequently asked questions

- What if the person taking possession lacks the required endorsements? The transfer must be paused until these endorsements are acquired. Until the endorsement is issued, and a permit to possess the item is issued, a different licence holder who does hold the required endorsement and permit to possess needs to be found, to hold the item. The individual can apply online through MyFirearms or by post. For more information on how to apply visit the *Endorsements* page on our website.
- How do I use the online licence checker? Visit www.firearmssafetyauthority.govt.nz and click the <u>Firearms Licence Checker</u> button at the top of the page. Enter the necessary licence details to proceed with the verification.
- How do I register an unregistered firearm? Contact the Registry Team on 0800 844 431 or register online through MyFirearms. For more details visit the *How to register or update your information* on our website: https://www.firearmssafetyauthority.govt.nz/ firearms-registry/how-register-or-update-yourinformation
- What if I find or come into possession of an unregistered firearm?

If you discover an unregistered firearm, you are obligated to report and register this discovery with Te Tari Pūreke as outlined in scenario B, ensuring the firearm enters the registry.

• What if I'm temporarily holding a firearm for a friend or family member?

Even temporary possession of a firearm requires you to follow legal protocols. If you are unlicensed, you should not take possession of the firearm. Instead, the firearm should be directly transferred to a licensed individual or dealer for secure storage or management. If you are licensed, you can temporarily hold a firearm in your possession for up to 30 days before you need to register it, and any other arms items in your possession, if you have not done so already. Contact the Registry team on 0800 844 431 for advice.

• Can I hand over the firearm to any licensed friend or relative?

Before transferring a firearm, you must verify that the recipient has a valid firearms licence and the appropriate endorsements and permit (if required) for the specific type of firearm. Use the <u>online firearms licence checker</u> for this purpose and follow all legal transfer processes as guided by the Firearms Registry Team.

• How do I securely store a firearm if I'm unlicensed?

Since you are not licensed to possess the firearm, you must arrange for a licensed individual or dealer to store it securely as soon as possible.

- How quickly do I need to act if I discover I'm in possession of a firearm without a licence? You should act immediately by contacting NZ Police on 105. NZ Police can give you guidance on the next steps. Delaying this action could compromise safety and increase the risk of legal penalties.
- Can I sell an unregistered firearm to a licence holder or licensed dealer?

The processes of selling or transferring any firearm must be legally facilitated. For unregistered firearms, you must first contact the Firearms Registry Team for guidance. Any sale or transfer should only proceed with their approval and through the above channels of disposal to ensure compliance.

- How can I get a firearms licence? Applying for a firearms licence involves a background check, a safety course, and passing a test on firearm safety and the relevant legislation, among other requirements. Start by visiting our website: <u>https://www.</u> <u>firearmssafetyauthority.govt.nz/manage-andapply/firearms-licence</u>
- What if I've inherited firearms? If a firearm is inherited, the new owner in possession (or next of kin managing the estate) should make note of the serial number and other relevant details. They should then contact the Firearms Registry Team to update the ownership details. If the new owner is not licensed, they must either obtain a licence (and if relevant the correct endorsements and permit) or dispose of the firearm to someone who is.
- What if I've come into possession of a deceased owner's firearms? The next of kin or executor of the estate should contact the Firearms Registry Team to report the death and discuss the next steps for the firearms. If the firearms are to be transferred to someone else, the usual transfer procedures apply, including ensuring the new recipient is licensed and the firearms are registered and transferred to the recipient as the new person in possession.

Appendix



Extracts from the Arms Act 1983

airgun includes—

- (a) any air rifle; and
- (b) any air pistol; and
- (c) any weapon from which, by the use of gas or compressed air (and not by force of explosive), any shot, bullet, missile, or other projectile can be discharged

arms item means an item of any of the following classes:

- (a) firearms (including prohibited firearms):
- (b) magazines (including prohibited magazines):
- (c) parts (including prohibited parts):
- (d) airguns:
- (e) pistols:
- (f) restricted weapons:
- (g) pistol carbine conversion kits

firearm—

- (1) means anything from which any shot, bullet, missile, or other projectile can be discharged by force of explosive; and
- (2) includes—
 - (i) anything that has been adapted so that it can be used to discharge a shot, bullet, missile, or other projectile by force of explosive; and
 - (ii) anything which is not for the time being capable of discharging any shot, bullet, missile, or other projectile but which, by its completion or the replacement of any component part or parts or the correction or repair of any defect or defects, would be a firearm within the meaning of paragraph (a) or subparagraph (i); and
 - (iii) anything (being a firearm within the meaning of paragraph (a) or subparagraph(i)) which is for the time being dismantled or partially dismantled; and
 - (iv) any specially dangerous airgun

firearms licence means a firearms licence issued under section 24:

licensed dealer means a holder of a dealer's licence issued under this Act

part, in relation to any firearm or restricted weapon,—

- (a) means—
 - (i) any component that, of itself, is essential to the discharge of any shot, bullet, missile, or other projectile from the firearm or restricted weapon; and
 - (ii) any component that is exclusively designed to be, or is intended to be, an integral part of the firearm or restricted weapon (for example, a butt, stock, magazine, or other component that feeds or contributes to feeding ammunition to the firearm or restricted weapon); and
- (b) includes the following components or accessories that can be fitted to, or adapted to fit, a firearm or restricted weapon:
 - (i) grips:
 - (ii) frames:
 - (ii) chassis systems:
 - (iv) magazine adapters:
 - (v) magazine couplers:
 - (vi) magazine loaders:
 - (vii) flash suppressors:
 - (viii) silencers:
 - (ix) folding or telescoping stocks; but
- (c) does not include the following:
 - (i) pistol carbine conversion kits:
 - (ii) air pistol carbine conversion kits

prohibited firearm

- (1) In this Act, unless the context otherwise requires, prohibited firearm—
 - (a) means any of the following firearms:
 - (i) a semi-automatic firearm, other than—
 - (A) a specified semi-automatic firearm:
 - (B) a semi-automatic shotgun with a non-detachable tubular magazine or magazines that are capable of holding no more than 5 cartridges commensurate with that firearm's chamber size:
 - (C) a small semi-automatic pistol:
 - (D) a semi-automatic pistol (not being a small semi-automatic pistol) in the possession or under the control of a person referred to in subsection (3):
 - (ii) a pump-action shotgun that is capable of being used with a detachable magazine:
 - (iii) a pump-action shotgun that has a non-detachable tubular magazine or magazines that are capable of holding more than 5 cartridges commensurate with that firearm's chamber size:
 - (iv) a centrefire pump-action rifle that is capable of being used with a detachable magazine:
 - (v) a centrefire pump-action rifle that has 1 or more non-detachable magazines (tubular or otherwise) that are capable of holding more than 10 cartridges commensurate with that firearm's chamber size; and

includes any other firearm declared by Order in Council made under <u>section 74A</u> to be a prohibited firearm for the purposes of this Act.

prohibited item means a prohibited firearm, a prohibited magazine, a prohibited part, or any or all of those things, as the case requires.

restricted weapon means any weapon, whether a firearm or not, declared by the Governor-General, by Order in Council made under <u>section 4</u>, to be a restricted weapon.

specially dangerous airgun means any airgun declared by the Governor-General, by <u>Order in</u> <u>Council</u> made under section 4 of the Arms Act 1983, to be a specially dangerous airgun

Extracts from the Arms Order 1984

Weapons declared restricted weapons

- (1) Anti-tank projectors, and ammunition therefor.
- (2) Grenade dischargers, grenade launchers, and grenades containing explosives.
- (3) Incendiary grenades; including the type commonly known as a Molotov cocktail and consisting of
 - a) a container or containers, the only or principal contents of which is an inflammable liquid or mixture; and
 - b) a means of ignition of the inflammable substance or mixture, whether that means is a wick, an explosive or other device, a fuse, or a chemical.
- (4) Machine carbines or guns, submachine carbines or guns, and machine pistols of any kind, including those operated by gas or compressed air.
- (4A) Firearms and airguns that are capable of full automatic fire, excluding airguns that are designed for use in airsoft or paintball sports and are in the same configuration as when they were manufactured.
- (5) Mines of an explosive nature, of any kind whatsoever.
- (6) Mortars of military kinds, and ammunition therefor.
- (7) Rocket launchers and ammunition therefor.
- (8) Every firearm, weapon, and device designed for the purpose of discharging any lachrymatory, deleterious, or toxic gas, smoke, or other stupefying or overpowering thing capable of rendering any person either wholly or partially incapable of resistance (other than any device designed and intended solely for any medical, surgical, veterinary, scientific, agricultural, industrial, or other similar lawful purpose).
- (9) Any gas, substance, material, or thing specially intended or adapted for use in conjunction with any firearm, weapon, or device specified in clause 8.