

14 May 2024

IR-01-24-16982

J Dough  
[fyi-request-26843-57e86272@requests.fyi.org.nz](mailto:fyi-request-26843-57e86272@requests.fyi.org.nz)

Tēnā koe J Dough

Thank you for your Official Information Act 1982 (OIA) request dated 16 May 2024 where you asked for information about the No Arms Items Declaration.

Please find below a response to each of your questions.

*The NZ Police Firearms Safety Authority website page (<https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.firearmssafetyauthority.govt.nz%2Ffirearms-registry%2Fwhen-register-or-update-your-information&data=05%7C02%7CMinisterial.Services%40police.govt.nz%7C5a6c528944324ad46e1108dc75697d24%7Cca3e98072c6841ae8b669330cd5ee407%7C0%7C0%7C638514344463976231%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C40000%7C%7C&sdata=A%2F7yypuGsRt9gMhu3FDE8Ozlpfe9vVT3%2FaeAjNhFHjg%3D&reserved=0>) mentions a "No Arms Items Declaration".*

*However, this page does not list the information required to be provided for this "No Arms Items Declaration".*

*Can the New Zealand Police provide a copy of the text of a "No Arms Items Declaration".*

The No Arms Item Declaration is an online document accessible through MyFirearms, for the Firearms Registry. Please find attached the "No Arms Item Declaration" document which contains screenshots of the No Arms Item Declaration submission form.

*Can they also provide a copy of all legal advice linked to the "No Arms Items Declaration", especially the legal requirement for every item of information to be captured in the "No Arms Items Declaration". This must reference each piece of information to the legislation.*

Licence holders are required to provide information for the Registry, including information for No Arms Items Declaration. If the licence holder has no registrable arms items in their possession at the relevant time, they are asked to confirm this when engaging with the Registry (see sections 94(1)(e) and (2)(b) of the Arms Act<sup>1</sup>, and regulations 40 to 42 of

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<sup>1</sup> <https://www.legislation.govt.nz/act/public/1983/0044/latest/whole.html#LMS187175>

the Arms Regulations 1992<sup>2</sup> (the Regulations) and Te Tari Pūreke – Firearms Safety Authority website).

With this information at hand, Registry staff will know there is no need to further contact the person to encourage compliance.

Te Tari Pūreke is refusing the part of your request for “all legal advice linked to the No Arms Items Declaration” under section 18(e) of the OIA, as the information requested does not exist.

*Can you confirm the full list of all possible methods that a person can use to update the Registry, including, but not limited to a "No Arms Item Declaration".*

As outlined on Te Tari Pūreke's website under *How to register or update your information*, information for the Registry can be provided online through MyFirearms, or via Freephone: 0800 844 431 (within New Zealand) or +64 4 499 2870 (if you are not in New Zealand). Please refer to the below website link:

<https://www.firearmssafetyauthority.govt.nz/firearms-registry/how-register-or-update-your-information>

*From the Arms Act 1983 Section 94(2):*

*(b) any other information that the Commissioner considers necessary or desirable—*

- (i) to ensure that the registry is complete and accurate; or*
- (ii) for the administration of this Act and regulations made under it; and*
- (c) any other photographs that the Commissioner considers necessary or desirable.*

*Can you provide the document / letter or similar, signed by the Commissioner, which covers what this "other information" and "any other photographs" are.*

Te Tari Pūreke's website sets out information about what is required for the Registry, accessible via <https://www.firearmssafetyauthority.govt.nz/firearms-registry>. The Registry and associated implementation processes were established and approved through the Arms Transformation Programme and under the oversight of the Commissioner's delegate, the Deputy Commissioner of Operational Services and Road Policing.

Te Tari Pūreke advises there is no specific document signed by the Commissioner which covers what “other information” and any other photographs” are, therefore this part of your request is refused under section 18(e) of the OIA as the information requested does not exist.

*Can you provide a full list of all data fields in the Registry for a person, their firearm(s), their address(s), their licence(s) and any other data that links back to any of these data objects (i.e. person, firearm(s), licence(s), etc.). Include for each field if the data is mandatory or if it is optional.*

The following lists the data fields in the Registry. Fields marked with an asterisk are mandatory.

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<sup>2</sup> <https://www.legislation.govt.nz/regulation/public/1992/0346/latest/DLM168889.html>

1. Title
2. Name\*
3. DOB\*
4. Gender\*
5. Phone\*
6. Email address
7. Missing flag
8. Missing effective date
9. Deceased flag
10. Deceased date
11. Licence Status
12. Email correspondence
13. Linked data:
  - a. Address(es)
  - b. Licence(s)
  - c. Endorsement(s)
  - d. Arms item(s)
  - e. Transfer(s)
  - f. Note(s)
  - g. Registration(s)
  - h. No arms items declaration
  - i. Application(s)

*Is the information which is held in the Firearms Registry covered by the Official Information Act 1982? This includes the ability for a firearms licence holder (current, suspended, revoked or any other status) to request a copy and to be able to request corrections? If the answer to this question is no, in whole or in part, can you provide the legal basis for this, referencing the applicable legislation.*

*Does the Privacy Act 2020 and the Privacy Principles, as documented by the Privacy Commissioner*

*<https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.privacy.org.nz%2Fprivacy-act-2020%2Fprivacy-principles%2F&data=05%7C02%7CMinisterial.Services%40police.govt.nz%7C5a6c528944324ad46e1108dc75697d24%7Cca3e98072c6841ae8b669330cd5ee407%7C0%7C0%7C638514344463984208%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C40000%7C%7C%7C&sdata=Gqr78yHWnjJ1UVKfOmhrx%2BfbktE%2BnE2SQoHtd0d3xJ8%3D&reserved=0> apply to this information. If the answer to this question is no, in whole or in part, can you provide the legal basis for this, referencing the applicable legislation.*

As per section 37(5) of the Regulations, information provided to Police for the purposes of entry in the Registry must be “provided in a manner or form determined by the Commissioner”.

Te Tari Pūreke is a business unit of Police and all employees of the unit are appointed under the Policing Act and are Police employees. Some of those employees are also constables.

Therefore, information in the Firearms Registry is information held by Police and accordingly covered by both the OIA and Privacy Act 2020, unless other provisions displace those Acts (see for example section 24 of the Privacy Act 2020 and section 52 of the OIA).

Under section 45(b)(i)(A) of the Regulations, a firearms licence holder can view their information once the licence holder identification has been verified by Police, or via Te Tari Pūreke firearms licence application vetting.

Once verified, the licence holder can access the following information on MyFirearms Portal:

1. MyFirearms Profile Details
2. My Licences
3. Endorsements on Licences
4. My Address(es)
5. My Registered Firearms (All Arms Items linked to a firearms Licence).

Under section 45(1)(b)(i)(B) of the Regulations, “confirming or verifying the licence, endorsement, and permit status of any person from whom they are buying or to whom they are selling an arms item or items”, is partially provided via the Firearms Licence Checker<sup>3</sup> which is available online. However, the ability to use the Licence Checker within MyFirearms is not currently available.

The ability to change or alter the information held in some instances is possible by calling the General enquiries line (0800 844 431 (within New Zealand) or +64 4 499 2870 (if you are not in New Zealand) or visiting a firearms office in person, or online via the MyFirearms portal for Change of Address or Change of Health Practitioner.

Section 63<sup>4</sup> of the Privacy Act 2020 provides for individuals to offer a correction to any personal information held by an agency.

Information about how licence holders may access details of their registered arms items electronically and how to first validate their MyFirearms account can be found in the following link:

<https://www.firearmssafetyauthority.govt.nz/firearms-registry/how-register-or-update-your-information>

To access details of registered arms items, and for security reasons, a licence holder can only access a list of all their registered arms items through a validated MyFirearms account.

Otherwise, individuals may request access to their information under the Privacy Act 2020. Please see the following link:

<https://www.police.govt.nz/advice-services/accessing-information/request-information-about-yourself-privacy-act>

*Regulation 45(b) of the Arms Regulations 1992 includes the phrase "when the Commissioner makes the capability available". Is this capability available now? If not, when will this be available? Are there any possible reasons for when the Commissioner may make it not available?*

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<sup>3</sup> [Firearms Licence Check | Webforms \(police.govt.nz\)](#)

<sup>4</sup> <https://www.legislation.govt.nz/act/public/2020/0031/latest/LMS134243.html>

*If the Commissioner is to make the capability not available, does this override the ability to request information under Section 12 of the Official Information Act 1983 or any other part of the Official Information Act 1983? Please provide all legal advice if it does override the Official Information Act 1983 in any way.*

As outlined above, information in the Firearms Registry is information held by Police and accordingly covered by both the OIA and Privacy Act 2020 unless other provisions displace those Acts (see for example section 24 of the Privacy Act 2020 and section 52 of the OIA).

You have the right to ask the Ombudsman to review this decision if you are not satisfied with the response to your request. Information about how to make a complaint is available at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

For your information, Police has developed a process for proactive release of information, so the anonymised response to your request may be publicly released on the New Zealand Police website.

Nāku noa, nā




Matthew Boddy  
**Acting Director Operations**  
**Firearms Safety Authority**




Dough J IR-01-24-16982

No Arms Item Declaration screenshots from the MyFirearms portal.

 **Te Tari Pūreke**  
Firearms Safety Authority

Call 0800 844 431  
for MyFirearms Support

[New Submission](#) [My Submissions](#) 

## No Arms Item Declaration

New Submission

### Introduction

#### Privacy statement and terms of use

The information you provide is collected for the purpose of administration of the Arms Act 1983. New Zealand Police will hold, store, use or disclose the personal information collected in accordance with the provisions of the Privacy Act 2020. This means that, where necessary, Police may use or disclose your personal information to enable it to carry out its lawful functions, including prevention, detection, investigation and prosecution of offences.

You can find more information about how we manage personal information on our website.

[Privacy statement](#)

Please make sure you have read and understand our terms of use.

[MyFirearms terms of use](#)

To continue, select the box to confirm you agree.

I have read and agree to the privacy statement and the terms of use. \*

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- No arms items declaration
- Summary

## Licence details

**First name**

**Middle name(s)**

**Last name**

**New Zealand firearms licence number**

**Email address \***

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# No Arms Item Declaration

New Submission

## No arms items declaration

### No Arms Items Declaration

Before completing this form, please make sure you have read and understood what arms items are required to be registered.

[Find out what arms items must be registered](#)

#### Declaration

Please read the following and select each box to confirm the statement is true.

- I do not currently possess any arms items that are required by the Arms Act 1983 to be recorded in the Registry. \*
- I understand that I must register any arms items that come into my possession, if they are required to be recorded in the Registry. \*
- I understand it is an offence to provide information to the Police for inclusion in the Registry, knowing the information to be false or misleading in a material respect (Arms Act 1983, section 58A). \*
- I understand it is an offence to fail to provide information for the Registry when required (Arms Act 1983, section 58A). \*
- I understand that if I commit an offence against section 58A I am liable, on conviction, to a penalty of up to 2 years' imprisonment, or a \$20,000 fine (Arms Act 1983, section 58A(5)). \*

[View section 58A of the Arms Act 1983](#)

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# No Arms Item Declaration

New Submission

## Summary Submit Now

### Introduction

**Privacy statement and terms of use** Edit

I have read and agree to the privacy statement and the terms of use.  
**Yes**

**Licence details** Edit

First name

Middle name(s)

Last name

New Zealand firearms licence number

Email address

### No arms items declaration

**No Arms Items Declaration** Edit

I do not currently possess any arms items that are required by the Arms Act 1983 to be recorded in the Registry.  
**Yes**

I understand that I must register any arms items that come into my possession, if they are required to be recorded in the Registry.  
**Yes**

I understand it is an offence to provide information to the Police for inclusion in the Registry, knowing the information to be false or misleading in a material respect (Arms Act 1983, section 58A).  
**Yes**

I understand it is an offence to fail to provide information for the Registry when required (Arms Act 1983, section 58A).  
**Yes**

I understand that if I commit an offence against section 58A I am liable, on conviction, to a penalty of up to 2 years' imprisonment, or a \$20,000 fine (Arms Act 1983, section 58A(5)).  
**Yes**

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The information (below) is read to the licence holder over the phone. There is no script for the Registry officer to read from due to the information being presented onscreen when the action is completed over the phone. The caller must be validated before they can complete the No Arms Item Declaration.

## Privacy statement



Show all

Please read the following statement to the licence holder.

The information you provide is collected for the purpose of administration of the Arms Act 1983. New Zealand Police will hold, store, use or disclose the personal information collected in accordance with the provisions of the Privacy Act 2020. This means that, where necessary, Police may use or disclose your personal information to enable it to carry out its lawful functions, including prevention, detection, investigation and prosecution of offences.

You can find more information about how we manage personal information on the Privacy page of our website at [firearmsafetyauthority.govt.nz](https://firearmsafetyauthority.govt.nz).

The licence holder understands and agrees to the Privacy statement.



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## No Arms Items Declaration



Show all

To complete this form, the licence holder must confirm the following statements are true. Read each statement to the licence holder and select the box to show they agree.

I do not currently possess any arms items that are required by the Arms Act 1983 to be recorded in the Registry. \*

I understand that I must register any arms items that come into my possession, if they are required to be recorded in the Registry. \*

I understand it is an offence to provide information to the Police for inclusion in the Registry, knowing the information to be false or misleading in a material respect (Arms Act 1983, section 58A). \*

I understand it is an offence to fail to provide information for the Registry when required (Arms Act 1983, section 58A). \*

I understand that if I commit an offence against section 58A I am liable, on conviction, to a penalty of up to 2 years' imprisonment, or a \$20,000 fine (Arms Act 1983, section 58A(5)). \*